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PRESENT DAY IMPLICATIONS OF THE SCHOOL DESEGREGATION DECISION IN *BOARD OF EDUCATION OF OKLAHOMA CITY PUBLIC SCHOOLS v. DOWELL* (1991)

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PRESENT DAY IMPLICATIONS OF THE SCHOOL DESEGREGATION DECISION IN *BOARD OF EDUCATION OF OKLAHOMA CITY PUBLIC SCHOOLS v. DOWELL* (1991)

A DISSERTATION APPROVED FOR THE
DEPARTMENT OF EDUCATIONAL LEADERSHIP AND POLICY STUDIES

BY

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Abstract

This research study examined the segregate effects of the new geographic placement of John Marshall High School (JMHS) from a predominantly African American area to a predominantly Caucasian area. In *Board of Education of Oklahoma City Public Schools (OKCPS) v. Dowell* (1991), the Oklahoma City Public School district was released in 1991 from court-ordered desegregation efforts. Since release, the Oklahoma City Public Schools have become re-segregated and desegregation efforts have become lax. The un-acknowledgement of race as an important factor has important implications for public school education. Like most large, urban school districts, a large number of schools are color-coded. Partially because of residual state enforced residential segregation, the schools are mainly single-race schools— predominantly attended by majority African American, or Hispanic students. School and residential segregation are inherently linked and difficult obstacles to overcome. Consequently, re-segregation is a major issue in OKCPS. Although, this re-segregation may be explained away through personal choice, it contrasts everything Mr. Dowell and so many others fought so very hard for in *Dowell v. Board of Education of OKCPS* (1963).

This research study sought to determine if the geographic relocation of JMHS represents inequality based on the results of the *Board of Education of OKCPS v. Dowell* (1991) case**.** The general research goal was to determine if, after release from court-ordered desegregation planning, OKCPS placed the issue of race relations in high importance when it relocated JMHS from one predominantly African American neighborhood to a predominantly Caucasian neighborhood displacing some former students to a nearby highly segregated high school, Oklahoma Centennial High School.

The unintended consequence of this displacement of students was the creation of highly segregated, Oklahoma Centennial High School. The improvement of student integration at one school created segregation at another school. The racial majority makeup of the student population at JMHS changed due to relocation to a predominantly Caucasian neighborhood and displacement of students to a newly created segregated high school. The study investigated three research questions:

1. Is the current re-segregation of the Oklahoma City Public Schools an unintended consequence or gradual result of the district being released from court-ordered desegregation planning in *Board of Education of Oklahoma City v. Dowell* (498 U.S. 237 (1991)?
2. What types or kinds of desegregation data were used to identify a good geographic location for the placement of John Marshall High School to ensure adequate integration?
3. How can Oklahoma City Public Schools ensure that all students enjoy a diversified, quality education in the future?

Data to inform the study were collected through OKCPS and Oklahoma City historical documents, demographic data, participant interviews, and personal introspection. Conclusively, it was found that OKCPS choose the current physical location for JMHS based on availability of needed space and cost factors. Additionally, OKCPS did reconfigure boundary lines after the opening of John Marshall High School at its new location. Specific to one school, this study is an effort to determine if student diversity was valued through the relocation of JMHS post *BOE of OKC v. Dowell*

(1991). This study's data confirms that the dreams of the *Dowell* (1963-1991) court in terms of complete student integration have yet to be fully realized.

Chapter 1

Introduction: The Legal Landscape of School Desegregation

"A district court need not accept at face value the profession of a school board, which has intentionally discriminated that it will cease to do so in the future…" (*Board of Education of Oklahoma City Public Schools v. Dowell*, 1991, p.10 as cited in Horsford, 2011, p. 61). School administrators and education scholars of today attribute school desegregation as a topic of the past. It is often deemed as irrelevant to current society. Some believe that schools are equal, thus, other contemporary educational issues such as accountability legislation in No Child Left Behind should prevail. The No Child Left Behind Act of 2001, also known as NCLB, a United States federal law proposed by President George W. Bush funds a number of federal programs aimed at improving the performance of United States schools by increasing accountability standards. Consequently, this Act has been the cause for concern to many educators and administrators since 2001. Although forever important to achieving quality schools, issues such as school desegregation have taken a back seat to other issues such as school and teacher accountability. Despite diversity's meaning towards fulfilling educational equality and recognizing cultural diversity, school desegregation efforts in the Oklahoma City Public Schools (OKCPS) have seemingly slowed since release from court ordered desegregation planning in 1991.

In addition, the inherent role of race and racism in OKCPS invokes certain feelings and opinions along racial, geographic, and generational lines to its community members. Despite the central function that race and its subsequent meaning plays in the conceptualization and implementation of OKCPS's desegregation policies and

strategies, and the resistance that often follows, race fails to be materialized in a visible way, through either community discourse or community analysis. It is included as a factor or variable, but is not analyzed as a construct with overwhelming implications for the future of OKCPS students (Horsford, 2011). While the primary objective of the landmark school desegregation case, *Brown v. Board of Education* (1954), was to integrate schools systemically; it was not to simply "mix bodies of color" together, it was meant to have a much larger effect. The litigants and attorneys argued that desegregated classrooms and schools were essential to the future of positive race relations in the larger society and world. Desegregation of school classrooms was the root issue of the Brown decision but was not solely meant to begin discourse and strategic analysis of such. The decision was intended to address a greater concern. More specific, attention to student integration in all schools would initiate a much deeper and longer lasting effect in schools nationwide. Although, presumably, this case begun serious discussions about racially isolated schools that would continue many years later.

Brown v. Board of Education (1954), believed by most education practitioners to be the remedy for segregated classrooms, still more than 50 years later may not have been thoroughly accomplished. Intentionally presumed by some as an attempt to gain equal access to resources and opportunities, many believed *Brown* (1954) was simply an invitation for minorities to get to sit next to Caucasians. Thus, despite the Supreme Court's declaration that separate schools were inherently unequal, the goal of the *Brown (1954)* ruling was not fully conceptualized by OKCPS until the intervention of Mr. A.L. Dowell in his initial suit, *Dowell v. Board of Education (BOE) of OKCPS* (1963). The intent of *Brown* (1954), according to Justice Thurgood Marshall, was having the right to

go to school whenever you want to and the right to have options in your education. "However, *Brown's* (1954) lack of 'teeth' compromised the law's ability to make significant change… meaningful integration never really occurred" (Horsford, 2011, p.71).

School desegregation was an important and necessary step in eliminating state-sanctioned segregation that limited educational opportunities to African American students. Unfortunately, through *Brown v. Board of Education* (1954), it seems that within urban school systems the true conceptualization and appreciation for the worth of fully integrated classrooms has not been altogether realized. In some urban school systems, integration has been achieved (in formality), with Caucasian students merely sitting next to African American students, unable to appreciate the true worth of each other's diverse culture. The very essence of a spiritual togetherness or joining of races has yet to be materialized in many urban cities; this lack of "spiritual togetherness" can be viewed as an unintended consequence of *Brown* (1954), a goal still not fully conceptualized in many urban school districts today.

Consequently, because of *Brown's* (1954) lack of true assertiveness within America's cities and school systems, years later, cases such as *Dowell v. BOE of OKCPS (1963)* and *Freeman v. Pitts (1991)* would challenge the very same thing thought to be remedied by the *Brown* (1954) court. The issue of equal opportunity for all students would once again be litigated. These cases were used to put an end to discriminatory and segregationist practices. The *Dowell* (1991) court used a vestiges analysis to determine whether the segregationist laws and practices of the past in fact have continued to limit educational access and opportunities for African Americans. A

vestiges, or trace of segregation, analysis seeks to uncover whether segregationist practices are still visible or can be identified within the school system. As Thurgood Marshall expressed in his dissent to *BOE of OKCPS v. Dowell (1991)*, the Supreme Court has never clearly defined what a vestige or evidence of state-enforced segregation practice looks like. However, the concept is critical to determining whether the vestiges of past discrimination have been eliminated to the greatest extent practicable (Horsford, 2011). The Supreme Court declared OKCPS a unitary district and was released from court ordered desegregation planning in 1991. OKCPS had proved in the court's opinion that OKCPS had done everything in its power to desegregate its schools. The District had, through student demographic and performance data, shown the court that it was no longer operating an inequitable dual school system -- one for Caucasians and one for African Americans. There existed a general belief that the District had taken the steps necessary to successfully integrate the schools. In the eyes of OKCPS administration, a discrimination free, racially integrated school system had been created. However, this may not have been completely evident to the surrounding community. This study sought to discover if the importance of diversity was taken into consideration when in 2006, John Marshall High School (JMHS) was relocated from one predominantly African American neighborhood to one predominantly Caucasian neighborhood displacing some students in the process. This study investigated the relocation of John Marshall High School through the legal lens of *BOE of OKCPS v. Dowell* (1991), in which OKCPS was released from court ordered desegregation planning. It utilizes this case to discover the importance of student diversity issues when a school is relocated from one culturally significant area to another culturally significant

area while displacing some students. Douglas Horsford (2011), critical race theorist, contextualizes the words of Dr. Martin Luther King about deeper meanings to school desegregation in lieu of a more superficial relationship that some districts may place upon it. The effects of that superficial attention can still be seen today. Dr. Martin Luther King spoke to this lack of true attention to the advantages of diverse classrooms before the *Dowell* (1963) case was heard.

> We do not have to look very far to see the pernicious effects of a desegregated society that is not integrated. It leads to physical proximity without spiritual affinity. It gives us a society where men are physically desegregated and spiritually segregated, where elbows are together, and hearts are apart. It gives us special togetherness and spiritual apartness. It leaves us with stagnant equality of sameness rather than a constructive equality of oneness. (Dr. Martin Luther King, Jr., The Ethical Demands for Integration, December 27, 1962, as cited in Horsford, 2011 p. 64)

This study is an effort to analyze an unintended consequence of the *Brown* (1954) decision within the OKCPS system after the fulfillment of court-ordered desegregation in *BOE of OKCPS v. Dowell* (1991). Re-segregation of schools, a reversal of desegregation outcomes and planning, will be discussed in relation to its involvement in the relocation of JMHS. Thus, the relocation of JMHS is analyzed under the contextual lens of the *Dowell* (1963) case and at the conclusion of the last *Dowell* (1991) ruling.

Background of the Study

In 1954, over 50 years ago, a landmark case changed education for everyone. This historical case, *Brown v. Board of Education* (1954), challenged the earlier ideology of *Plessy v. Ferguson* (1896), "separate but equal." The *Brown v. Board of Education* (1954) decision set precedents in education, making desegregation of schools not just a far off goal to work towards but a reality. The *Brown* (1954) court commented that equal opportunity would not be achieved unless racially separated school systems, which perpetuated and reinforced inequality, were eliminated to the greatest extent practicable (Orfield & Eaton, 1996). Schools that were operated for majority African American students were of a much lower quality than those for Caucasians. Thus, the *Brown v. Board of Education* (1954) court set forth procedures for the desegregation of the nation's schools. After its 50-year anniversary, the effects of the *Brown v. Board of Education* (1954) decision have been, at the most, questionable. Whether constituencies believe a ruling has been achieved or not, it is believed by all to have changed the American landscape of schools forever. For some, this long awaited and now much appreciated decision had erased the contradiction between the freedom and justice for all that America had proclaimed, and the subordination by race permitted by our highest law (Bell, 2004). After its rule, school desegregation was a major social movement and source of continued national and local debate. Districts made serious efforts to integrate schools beginning in the mid-1960s. Desegregation had entered into a new arena. Desegregation was mandated in not only public places but also had to occur in schools as well. Educators were at the forefront of ensuring that momentous change was followed as ordered by the courts through *Brown* (1954).

Schools were ordered to begin the process of desegregation following the rendering of this important decision. In the 1960's, after a period of more or less intense pressure, most school boards took positive steps toward desegregation planning (Holden, 2009, as cited in St. John, 1975). Across the nation, facing mounting pressure, most school districts made concerted efforts to create viable desegregation plans. Yet, in 1963, the OKCPS had not yet made steps toward desegregating their schools. The charge of operating a dual school system was levied against the District. The schools were inequitable towards African Americans. The poorly equipped schools were reserved for African Americans while the more equipped schools were reserved for Caucasians. Inequality was rampant even in the face of the *Brown* (1954) decision. School administrators had enlisted the assistance of realtors and other government officials in an effort to maintain school segregation in the schools of Oklahoma City (OKC). Strategically planned and illegally enforced residential segregation perpetuated school segregation. Thus, the first suit was heard, *Dowell v. BOE of OKCPS* (1963). The suit's litigation spanned a period of almost thirty years. Unknowingly, the suit may have created unintended consequences in OKCPS some 48 years later.

Context of the Study

Mr. A. L. Dowell charged that the OKCPS were operating two different school systems, one for Caucasians, and another for African Americans. OKC had placed itself into a unique situation, one not seen in any other urban city. City neighborhoods were noticeably segregated within most school districts. Student assignment was to the physically closest school, hence neighborhood schools. Therefore, this practice resulted in segregation of the nearby neighborhood school. Typical urban neighborhoods form

prior to schools. Districts subsequently build schools to accommodate neighborhood students. In OKC, this situation occurred in reverse. The district built schools first and then builders were secured to build a neighborhood around a particular school. Hence, the term schools-neighborhoods was coined specific to *Dowell v. BOE of OKCPS* (1963). African Americans were heavily discouraged and often turned away when trying to secure residency anywhere in a community other than in certain specifically designated areas of the city. Realtors, property owners, and other housing authority administrators assisted and took part in this housing discrimination practice. The OKCPS was heavily involved with property owners, realtors and the like in efforts to maintain segregated schools. African Americans could not purchase homes on the Caucasian side of OKC simply because African American assignment was specific to all-African American schools and they could not attend schools elsewhere. Therefore, OKCPS and local realtors/property-owners coaxed all families with children to live in certain, segregated areas of OKC. School attendance zones for children determined home and residential patterns for African Americans. The District, housing market controls, and Oklahoma City government officials of the time urged African Americans to live in certain areas of OKC due to the availability of a minority school for their children to attend. This residential segregation is noticeable in OKC today. The residual effects of the *Dowell* (1991) decision may have had implications for John Marshall High School following the last ruling in *BOE of OKCPS v. Dowell* (1991).

Mr. A. L. Dowell's son was denied transfer after he attempted to transfer his son to a predominantly Caucasian school because of a special program not offered at the only local African American high school. The OKCPS did not permit African

Americans to attend schools other than those designated by the District despite program requests. Mr. Dowell fought from 1963 to 1991 for the proper integration and diversification of the OKCPS. He acknowledged the residential segregation, thus *de jure* segregation, of schools and challenged the district to follow the orders of the Supreme Court in *Brown* (1954) declaring school segregation unconstitutional. *De jure* segregation is segregation directly intended or mandated by law being issued in connection to an official racial classification (Catholic University Law Review, 1992). He recognized that both OKCPS and OKC were working together to further segregation instead of following desegregation orders from the *Brown* (1954) ruling. Subsequent litigation by Mr. Dowell would follow for the next 30 years. Each step in litigation pushed OKCPS to further integration efforts and decrease unfair school segregation practices.

After forced desegregation planning, in 1991 the District gathered evidence and statement in an effort to prove that system schools had been desegregated to the greatest extent practicable. OKCPS was not required to show substantial proof of this desegregation. OKCPS was only required to provide proof of a good faith effort to desegregate schools with some remedies undertaken. OKCPS provided test scores of a certain group of students in attendance at certain desegregated schools. Gary Orfield and Susan Eaton (1996, p. 20), educational policy and race relations experts, state, "Many courts do not even investigate whether or not vestiges of segregation are ever remedied." School districts do not necessarily need to show that education gains are equal between Caucasians and African Americans. "Nor do courts require solid evidence that discriminatory attitudes and assumptions growing out of a history of

segregation have been purged from the local educational system" (Horsford, 2011, p. 20). OKCPS stated that due to increasing test scores and a small number of desegregated schools, court ordered desegregation planning was no longer necessary. OKCPS concluded that the residential segregation that it had assisted in creating was now a matter of mere personal choice since discriminatory housing practices no longer existed. Thus, the court concluded that the District accomplished its task of desegregating schools, making no mention of a vastly growing Hispanic population, which has increased rapidly since the time of the last *Dowell* (1991) ruling to present day. Therefore, the court released OKCPS from court jurisdiction and desegregation efforts ceased. Although released from court ordered desegregation planning in 1991, OKCPS consequences from the state sanctioned segregation, and evidenced within Oklahoma City would persist in the neighborhoods and communities. Gary Orfield and John Charles Boger (2005), race relations expert researchers, state:

> The reversal in the South was clearly related to a 1991 Supreme Court decision, *Board of Education of Oklahoma City v. Dowell* (1991) that authorized federal courts to end desegregation plans. In a stunning reversal of earlier expectations, the Court adopted the basic ideas first put forward by President Reagan's Justice Department-that desegregation was a temporary rather than a permanent goal for schools and that courts could dissolve existing orders and permit the restoration of segregated neighborhood schools as long as the school districts said that they made these changes for educational rather than racial reasons. (Boger & Orfield, 2005, p. 11)

Courts do not require school districts to provide solid evidence of the purging of discriminatory attitudes and assumptions left over from many years of segregation and unequal treatment. The leftover feelings of resentment from the OKC minority communities towards the OKCPS in regards to the discriminatory practices of *Dowell* (1963) can currently be noticed. The *Dowell* (1991) court made no mention of ways to remedy this and OKCPS made no mention of remedies in this area of concern.

This opened the door to a return to segregated education, re-segregation. Re-segregation of schools would now occur because of this termination decision. When the court unknowingly approved school re-segregation, it described residential segregation as a natural force that courts and school districts could not regulate or control. The *Dowell* (1991) court posited that housing segregation had deep roots and was something that happened for some unknowable reason. However, the courts only saw a somewhat distorted view of evidence because of *Dowell's* (1963) lack of economic resources and statistical data for litigation. Due to the extensive time spent in litigation, economic resources for *Dowell* (1963) may have been restricted. Evidence remains positive that African Americans do not prefer segregation and they would be highly integrated if they lived in the same neighborhoods occupied by Caucasians of similar income (Orfield & Eaton, 1996).

By its attainment of unitary status, or true school desegregation in 1991, the *Dowell* (1991) decision would have profound consequences for racial integration today. Unitary status, the opposite of the purported dual school system, is a status in which a district operates a true effective desegregation plan with system wide student integration in place. Purporting that residential segregation of OKC may be entirely because of

residential choice, OKCPS has not been required to make any further efforts towards desegregation through remediating its residential segregation by the courts. “Oklahoma City had been allowed to operate segregated neighborhood schools with only perfunctory consideration of the issues in the Supreme Court guidelines” (Orfield & Eaton, 1996, p. 20). In 2006, fifteen years after it had been released from court-ordered desegregation planning, OKCPS made an unapologetic move, increasing segregation at Oklahoma Centennial High School, after students from JMHS were displaced. The school was relocated to one predominantly African American neighborhood to a predominantly Caucasian neighborhood miles away. After being granted unitary status in 1991, OKCPS knowingly relocated JMHS in 2006, seemingly, without clear guidelines for achieving racial balance. This move raised concerns by the OKC community and patrons thus the issue of school desegregation is investigated in this study for its implications and connections to the *Dowell* (1991) decision.

Importance of the topic. With the legislative span of nearly thirty years, *Dowell v. BOE of OKCPS* (1963) touched many lives and had a great effect not only on *Dowell* (1991) supporters but also to the district and community as a whole. After decades of bitter political, legal, and community struggles, there was surprisingly little attention paid to the new school re-segregation policies spelled out in the court’s final 1991 decision in *BOE of OKC v. Dowell* (1991). As the concluding *Dowell* (1991) case unfolded, OKCPS was released from court-ordered desegregation planning. In effect, the OKCPS was allowed to return to the way things were before desegregation planning. The new policy, or absence of desegregation policy, reflected a turn from the dream of *Brown* (1954) toward accepting a return to segregation. The unitary status

decision and acceptance by the court expressed a philosophical shift away from the principles outlined in *Brown* (1954) and fought so hard for by Mr. Dowell. Under this new line of thinking, courts allowed districts that had been previously declared unitary to knowingly re-segregate their schools without liability (Orfield & Eaton, 1996).

School desegregation, in its early years, was designed to improve the chances for African American children to attain their dreams while not materially diminishing the likewise chances for Caucasian children (Bankston, III & Caldas, 2003). School desegregation currently means much more than that. Its focus is not solely on African American students but recognizes and appreciates the diversity brought by many other cultures as well.

The effects of school desegregation reached far beyond areas, initially considered, but may not have thoroughly saturated all education systems. *Dowell v. BOE of OKCPS* (1963) has possibly had effects on the areas of community perceptions of the district and in current student integration of the schools. The minimal efforts of desegregation planning, solely by placing Caucasians next to African Americans, are largely over. As the desegregation orders for OKCPS came, many Caucasian families moved from the city schools to nearby suburban school districts. However, as the years passed, some Caucasians begun to accept integration as mutually benefiting both races. Opponents feared that providing opportunity to African Americans threatened the pursuit of individual success by the majority. Advocates argued that the whole nation would benefit from racial desegregation since all students would gain essential experience with diversity, broaden their social networks, and obtain training in democratic citizenship. More recently, even opponents have agreed in the belief that

racial integration is desirable (Bankston, III & Caldas, 2003). *Dowell v. BOE of OKCPS* (1963) had very different or local opposition than did the later 1986 and 1991 cases. Society and local communities began to accept, even embrace, the advantages integration brings. Today, African Americans make up only 27% of the total student population of OKCPS with the Caucasian student population at 20%. The Hispanic population has increased to 45%. OKCPS's community support, as evidenced by passage of bond issues, has decreased tremendously since the 1960s. There was no bond issue passed between the years of the 1960s and 2000. Community support for the district has wavered and diminished greatly, possibly because of changing perceptions of the district. With more than 40 years of time passing between successful completion and passage of an OKCPS bond, community ratings of the district were at an all-time low. OKCPS's overall student population has decreased. Dissatisfied either with the district or with problems akin to large urban districts, more families are choosing to move away from segregated areas into the more diversified suburban areas. This urban sprawl, wherein families move away from urban areas, leaves OKCPS with those students economically or otherwise unable to move to the nearby suburban districts. Most recently and historically, economically disadvantaged students are predominantly African American and Hispanic students. This predominance of minority students leads to a re-segregation of OKCPS.

The way in which a community perceives a school district inevitably affects the failure or success of a district's future. Support for school diversity is essential for the adequate accomplishment of desegregated schools. OKCPS's impending integration success relies heavily on the support of its surrounding community and neighborhoods.

This study is an analysis of desegregation planning which occurred when JMHS was relocated from one predominantly African American neighborhood to a predominantly Caucasian neighborhood possibly displacing some current students. The relocation of John Marshall High School was a move that dealt a tremendous, negative blow to the community's perception of the OKCPS.

Purpose of the Study

The dream of the *Brown* (1954) case may be a dream yet. Over twenty years after being released from court-ordered desegregation planning in 1991, OKCPS has, contrary to the *Brown* (1954) decision, returned to a state of segregation. Most research focuses on school integration issues in large urban cities such as Dallas, Detroit, or Lewisville. These cities much like OKCPS, once bound by federally mandated desegregation planning, have slowly returned to a status of being racially identifiable. Racially identifiable schools, much like segregation in the 1960's and 1970's, are schools that can be identified by a majority of a single race. A majority African American or Hispanic students with very few numbers of other races most likely attend these racially identifiable schools. They appear much as they did before desegregation efforts were enforced and maintained in the 1960's before *Dowell* (1963). Unbeknownst to many OKCPS patrons, student demographics at some schools have maintained an 80% or more minority status prior to *Dowell* (1963) and currently as well. Caucasian student enrollment, which has steadily declined within the district, has not significantly increased within these same schools since the *Dowell* (1963) case.

The OKCPS's student population in school year 2010-2011(OKCPS District Statistical Manual, 2011) was 27% African American, 20% Caucasian, 45% Hispanic,

and 5% Native American, and 2% Asian. Large majorities of African American and Hispanic students have been, and are presently, concentrated in neighborhood schools. This fact, undermines, in a way, or threatens the very issue fought for by Mr. Dowell. The *Dowell* (1963) case fought for full integration of all OKCPS schools. Mandatory busing, recreated attendance zones, a diversity committee, and a desegregation plan known as the Finger Plan (396 U.S. 269 (1969)), all were aimed at achieving full integration of all OKCPS schools.

As seen from the OKCPS District Statistical Manual (2011) student population data in 2010-2011, this return to inter-district racial separation or re-segregation, has been seen in OKCPS. Race relations experts, Gary Orfield and John Charles Boger report on the state of re-segregation currently. “Racial isolation [school re-segregation] is worse than ever before, the increasing numbers of non-White schoolchildren as a percentage of our nation’s students explains why Whites believe segregation is a thing of the past”(Orfield & Boger, 2009 as quoted in Horsford, 2011, p. 21). OKCPS is among many other urban districts experiencing a gradual shift towards re-segregated schools. The shift has begun throughout many large districts in the nation but particularly in Southern states (Orfield, 1996). “The schools of the South appear to be moving slowly towards re-segregation. During the 1990’s, public schools throughout the South became increasingly segregated. Black-white public school segregation, in particular, increased in almost every state from 1990 to 2000” (Boger & Orfield, 2005, p. 66).

By 1999, the proportion of African American students in all-minority schools had slid up to 37% across the nation from a low of 33% in the 1980s, while the

proportion of African American students in majority Caucasian schools in the south declined from a high of 44% (Bankston, III & Caldas, 2003). One plausible explanation for the rise in school re-segregation is increasingly segregated residential patterns (Boger & Orfield, 2005). Similar to most urban cities around the nation, OKC residents are familiar with residential segregation. Residential segregation occurs when specific races or cultures designate certain areas or neighborhoods of a city. This trend surfaced in the 1960s, wherein African American residents were allowed residence in certain, very specific communities and neighborhoods. Currently, while African Americans are more widely dispersed, some communities and neighborhoods remain color-coded by race in Oklahoma City. An area or neighborhood with a predominance of one particular race or culture can be considered color-coded. The area or neighborhood surrounding JMHS represents one of these color-coded neighborhoods.

Furthermore, with the rise of poverty in large cities, the reduction of expenditures in schools for things such as busing or diversity planning discourages an increase in integration efforts. JMHS within OKCPS and its relocation from one area to another is the focus for this study.

The purpose of this qualitative research study is to determine whether the placement of the new John Marshall High School from a predominantly African American area to a predominantly Caucasian area represents a decision made to segregate a school from one race to another. The study analyzes residual effects on school desegregation after OKCPS was released from court-ordered desegregation planning. This study is an effort to understand reasons behind the decision around the relocation of JMHS; some 21 years post *BOE of OKCPS v. Dowell* (1991), when

OKCPS assured the court with intentions of continued diversity efforts. This study specifically sought answers to three research questions:

1. Is the current re-segregation of the OKCPS an unintended consequence or gradual result of the district being released from court-ordered desegregation planning in *BOE of OKCPS v. Dowell* (1991)?
2. What types or kind of desegregation data were used to identify a good geographic location for the placement of JMHS to ensure adequate integration?
3. How can OKCPS ensure that all students can enjoy a diversified, quality education in the future?

Significance of the Study

Integrated schools have been deemed significant to student educational environments since before the *Brown* (1954) decision, more than 50 years ago. Diversity plays a large role in enriching a student's educational and lifelong journey through life. Study after study has confirmed the benefits of integrated schools (see: Orfield & Eaton, 1996; Tefera, Frankenberg, Siegel-Hawley, & Chirichigno, 2011). The benefits from integrated schools exist not just for the minority group but for the majority group as well. Everyone can benefit from diverse atmospheres.

This study is important because the issue of integration was a pertinent, volatile topic in the initial *Dowell* (1963) case but seems not to be as important as it should be within the OKC schools of today. In today's trend towards increased accountability with more testing, the role of diversity and integration seems to have taken a back seat to other issues. If segregation does still exist, then there is a question of whether the

Dowell (1963) case has had much of an effect on integration over the 30 years that it was litigated.

Due to the rise in educational accountability and the efforts to bring awareness to acceptance of others through diverse educational experiences, school leaders can find the results of this study to be useful for increasing and analyzing student integration efforts when a school is relocated to a different culturally predominant area. The findings can assist school districts in determining best practices when relocation of a school is required. A hope is that this study will serve to spur discussions and plans about diversity/equity within a district whenever a new school or relocation of an existing school occurs. In addition, diversity within (a) school(s) is always desired, and school boards should stay aware of diversity levels within their districts and never intentionally or unintentionally segregate (a) school(s).

The findings of this study can aid educational leaders in better serving the minority populations of their urban district(s), which, in most cases, represent the majority of their students. This study will not only allow educational leaders to realize that an integration problem does actually exist but may also help them to have better insight into why this problem exists and how it can be resolved. School leaders may in turn address the problem with more enthusiasm and rigor. This in hope would create equitable, better-integrated schools.

Review of the Research Method Used

Because of the richness of the phenomenon in the relocation of JMHS after OKCPS was released from court ordered desegregation planning, a case study design proved to be the most appropriate method to investigate the research focus of the study.

The case study design (Yin, 2009) of the study allows for the extensive topic of student body diversity when a school is relocated to be illuminated in a way that would not constrict meaning. By using a case study approach, the real life context of the story is captured and analyzed for its meaning and application to addressing the research questions of the study. For this study, case study design provided a legitimate, contextual basis to which race could be foundationally analyzed in its relation to the relocation of JMHS following *BOE of OKCPS v. Dowell* (1991).

Limitations of the Study

The limitations of the study are those elements of design or methodology that hinder its application or generalization. Because of the specific nature and singular focus of this study, there are some limitations to be noted. The relocation of JMHS occurred in 2006. Some administrators or key individuals responsible for the decisions made were no longer a part of the Oklahoma City Public Schools and thus, were not able to be contacted to participate in this study. This created a small sample size available for the study. Although a small sample, the participants acquired for this study represented core individuals thoroughly knowledgeable and close to the event of the relocation of JMHS. The nature of segregation involving race is a sensitive issue. Thus, this may have limited the study's participants to a few that were willing to share the difficult decisions and race-related issues that occurred when JMHS was relocated from one majority African American neighborhood to a majority Caucasian neighborhood. Moreover, the unique features pertaining to OKCPS and JMHS within this study render the study to not be generalized to other situations and school districts. The study was conducted with the following specific limitations:

- By design, this qualitative case study is focused on one particular high school in the OKCPS, namely John Marshall High School (JMHS). It singles out only those individuals who played an integral part in the relocation of JMHS. Interview participants were chosen because of their roles within the OKCPS at the time of the relocation of JMHS. Participants were also all residents of Oklahoma City (OKC) and were witnesses of the conflict surrounding the relocation. Therefore, certain biases could be present and noticed in participant perceptions.
- The research was limited to the OKCPS. Information obtained from the Oklahoma City Public Schools District Statistical Profiles document and participants, pertained only to the OKCPS in the past and present. The *Dowell* case is specific to only the OKCPS and should not be compared or generalized to any other school district.
- The study was conducted with the knowledge and understanding of race as a sensitive subject. The very conceptualization of race evokes strong feelings in both the researcher and in participants. Participants were chosen, agreeing then, to be both transparent and open about the issue of how the concluding *Dowell* (1991) ruling effected the decision to relocate JMHS.
- A single researcher, who is a former employee of the OKCPS, conducted the study. Additionally, as a former resident of OKC, opinions, biases, and perceptions may have influenced the interpretation of the study.

Despite the limitations presented in this study, findings provide a concise view into understanding current student diversity within the OKCPS post *BOE of OKCPS v.*

Dowell (1991). The study's specificity to a large urban city allows the researcher to highlight valuable lessons learned that may be applicable to other large urban school districts. As urban cities become both more racially and ethnically diverse and increasingly segregated across racial/ethnic boundaries, there are more compelling reasons for educational researchers and school policymakers to be concerned about the future of school integration (Braddock, 2009 as cited in Goldring & Smrekar, 2009). While diversity in urban areas can be easily observed, the consideration of race as a significant factor in educational decisions has important implications for the stability, social cohesiveness, and well-being of OKCPS and its local communities. It has implications for school districts, students, and communities.

Definitions of Terms

De jure segregation—schools segregated by law or government action.

De facto segregation—schools segregated by individual choices or social practices.

Desegregation—racially mixing students in schools. "The physical reassignment of children and staff to change the existing racial composition in schools" (Adair, 1984 as cited in Horsford, 2011, p. 4).

Integration—"…a quality of education and interpersonal interaction based on the positive acceptance of individual and group differences as well as similarities" (Adair, 1984 as cited in Horsford, 2011, p. 4).

Desegregation plans—plans aimed at achieving racial integration of schools.

Racially identifiable schools—schools attended by a majority of a single race.

Racially isolated schools- schools attended by a one-race majority.

Re-segregation—segregation that has occurred after efforts for integration have weakened or dissipated.

Residential segregation—segregation that results from a concentrated particular group in specific neighborhoods or areas of a city.

Race-conscious policy—school integration policy that consider race when assigning students to schools in efforts to diversify those schools.

Race-neutral policy—school integration policies that do not take race into account when assigning students to schools in efforts to diversify those schools.

Vestiges—evidence of or lack of evidence of successful desegregation strategies.

Overview of Dissertation Chapters

This chapter served as the introduction to this research study. It provided the background, context and purpose of the study. Highlighting school desegregation in the Oklahoma City Public Schools as its major focus, and Chapter 1 outlines the specific research questions to be investigated in this study. Further areas described in this chapter were the significance of the study, review of the methods used, limitations of the study, and lastly definitions of the terms used in the study.

Chapter 2 is a review of pertinent and appropriate literature as well as describing the legal cases similar to *BOE of OKCPS v. Dowell* (1991). It highlights the similarities and differences between the *Dowell* (1963-1991) suit with similar school desegregation legislation in urban districts that were or were not released from court ordered desegregation planning. Chapter 3 presents the methodology of the study. It frames the study and describes its aspects through a qualitative case study framework. Chapter 4

presents the data analysis, outcomes, and findings of the research study. The chapter describes data, emergent themes, and discusses the important findings as related to the three research questions. Chapter 5 provides conclusions and recommendations about the topic of study in relation to the research questions.

CHAPTER 2

Literature Review and Guiding Legal Framework

Introduction

Following the May 17, 1954 *Brown v. Board of Education* decision, states were ordered to begin desegregation planning. This order was not enacted on immediately by all states. Almost 10 years after the *Brown* (1954) decision, the 1963 decision of *Dowell v. Board of Education (BOE) of Oklahoma City Public Schools (OKCPS)* still would not be the last time the issue of school desegregation was visited by the courts. Many pertinent desegregation efforts would be heard before any real change could be seen in Oklahoma City (OKC). This chapter includes highlights of important cases, such as *Plessy v. Ferguson* (1896), *Estes v. Metropolitan Branches, Dallas National Association for the Advancement of Colored People (NAACP)* (1971), *Milliken v. Bradley* (1974), *Bell v. Board of Education, Akron Public Schools,* (1982), and *Freeman v. Pitts* (1991) relating to essentially the same issue - school desegregation/integration. These cases frame the significance of *Dowell v. BOE of OKCPS* (1963) in the context of the time it was heard so many years ago.

The ideology of having all United States residents be given an equitable opportunity to pursue success seems simplistic but has proven to be much more difficult to accomplish. Desegregation promises much for schools but has yet to be fully conceptualized in America's schools today. School reform authors speak on the full implementation of desegregated schools in today's society.

> Desegregation was America's most sustained effort since Reconstruction to come to grips with the evils of racial domination in public schooling. The

> endeavor epitomized the ideals of the American dream, and revealed its most intractable internal conflicts. Its accomplishments were smaller than its advocates promised and less than they hoped for. (Bankston, III & Caldas, 2003, p. 26)

Desegregation, presently termed 'integration' (with some nuance in the meaning of the two terms as defined in Chapter 1), continues to be an elusive cause worth fighting for. Integration is seen as having mutual gains and integrity for all races. Desegregation improved the chances for African American students to pursue their dreams while not diminishing or diluting the chances of Caucasian children as well. In their book, *Student Diversity, Choice and School Improvement,* Charles Willie, Ralph Edwards, and Michael Alves (2002, p. 3), find "diversified student bodies—socioeconomically, racially, or both—are more effective learning communities than schools that are poverty-concentrated and racially homogenous."

The Civil Rights Act of 1964–1965 and the Voting Rights Act of 1965 were defining laws in American civil rights. The two laws, in conjunction, ended legal apartheid (Minchin & Salmond, 2011, p.2).

> From now on, the main task for the movement's supporters was to ensure that these laws were executed effectively. As the U.S. Commission on Civil Rights commented in 1969, 'It is not so much new laws that are required today as a strengthened capacity to make existing laws work. (Minchin & Salmond, 2011, p. 2)

The essential sections of the Civil Rights Code include Title VI, which tackled *de jure* segregation in education. The sit-ins, freedom rides, and the Birmingham

protests all focused on desegregation of public places and eventually public schools. The NAACP invested countless hours and more than ten years of work on the *Brown* (1954) case alone. The emergence of school desegregation as a major obstacle for school districts to overcome became evident.

As school desegregation law evolved and became more referenced two types of segregation emerged. *De jure* segregation is school segregation by law or government action. *De facto* segregation is segregation by individual choices or social practices. These two terms clearly defined the types of segregation for federal agencies and others. Thus, beginning in the 1950s and by the 1980s, most *de jure* segregation had been remedied by school desegregation plans. "…School racial desegregation efforts stagnated during the 1980s, and began a slow retreat during the 1990s. By the 1990s, federal courts all over the United States were releasing school districts from judicial oversight. Therefore, the Supreme Court began to develop guidelines for releasing school districts from court supervision, following the principle that a court's oversight of local school district's "…was intended as a temporary measure to remedy past discrimination" (Bankston, III, & Caldas, 2003, p. xii). Therefore, following this principle, the momentous case of *BOE of OKCPS v. Dowell* (1991), helped to establish a road map for other districts to seek unitary status (Goldring & Smrekar, 2009).

This change in segregation orders along with the unique area of residential segregation in neighborhood schools in OKC can be seen in the historical outline of the *BOE of OKCPS v. Dowell* (1991) case. In the early 1960s, segregation was a major topic worldwide. More specifically, it was a very controversial topic within the state of Oklahoma, and in the OKCPS.

Realizing the importance of school desegregation and integration, this chapter includes current research arguments about school desegregation and integration. Finally, the chapter ends with a discussion of *BOE of OKCPS v. Dowell* (1991) and its gradual, yet residual effects on the OKCPS, namely the relocation of John Marshall High School (JMHS).

An Examination of *Brown v. Board of Education* (1954)

Departing from the "separate but equal" doctrine of *Plessy* v. *Ferguson* (1896), legalizing segregation, came the landmark *Brown v. Board of Education* (1954) decision, making segregation illegal. Little did those at the time realize that *Brown* (1954) would indefinitely become synonymous with the subject of school desegregation. *Brown v. BOE* (1954) held that racially segregated schools are inherently unequal. By challenging, the *Plessy* (1896) doctrine, set forth earlier, the *Brown* (1954) court unanimously decided, separate but equal educational facilities are unequal (Lawrence, 1981). This retreat from prior thinking now brought national attention to the injustices and unequal treatment not just of African American citizens but also specifically to African American students and the value of their education. What had been an unfair reality for African Americans for many years was now finally being recognized by the country through the courts. The stark feeling of inferiority felt by African American students became noticed as harmful and unfair. The court realized that separating African American students from others of similar age and qualifications solely due to the factor of race generates a feeling of inferiority and may affect their hearts and minds in a way unlikely ever to be undone (Lawrence, 1981).

Moreover, *Brown* (1954) plaintiffs argued that the expressed purpose of the Fourteenth Amendment was to deprive the states of the authority to enforce existing minority specific laws which like segregation laws were designed to establish a caste system (Lawrence, 1981). A caste system would separate Caucasians socially, economically, and spiritually from other races. Therefore, separate school facilities, no matter how nice or equal to that of Caucasian students were deemed inherently inequitable, unfair, and incompatible with the Equal Protection Clause of the Fourteenth Amendment. Throughout the *Brown* (1954) case and for many years to follow, the Supreme Court cited this violation of the Fourteenth Amendment as rationale for discontinuing the practice of school segregation. Significant consideration regarding effects and the harm caused to African American students by the labeling or feeling of inferiority has not been fully researched or declared by the courts. This feeling of inferiority caused by the 'not inclusive' system of segregation and unequal schools permeated through the hearts and minds of African American students and likely caused irreparable damage. Without this being fully recognized and/or declared by the courts, the true long-term psychological effects of historic school segregation can perpetually linger on.

Consequently, following the 50-year anniversary of *Brown v. BOE (*1954), segregated schools and segregated housing still pervade the American landscape. In spite of *Brown* (1954), society dismisses these issues in terms of personal choice and poverty rather than as subtle long-term effects leftover from enforced school segregation. Derrick Bell (2004), author of *Silent Covenants*: *Brown v. Board of*

Education and the Unfulfilled Hopes for Racial Reform writes eloquently and truthfully about *Brown* (1954), stating:

> Over the decades, the *Brown* (1954) decision, like many other landmark cases, has gained a life quite apart from the legal questions it was intended to settle. The passage of time has calmed both the ardor of its admirers and the ire of its detractors. Today, of little use as legal precedent, it has gained in reputation as a measure of what law and society might be. That noble image, dulled by resistance to any but minimal steps toward compliance, has transformed *Brown* (1954) into a magnificent mirage, the legal equivalent of that city on a hill to which all aspire without any serious thought that it will ever be attained. (Bell, 2004, p. 4)

Whether the true promise of *Brown* (1954), complete school integration, has been fully realized or not, it has served as a preliminary forerunner for the cause of school integration in the United States. It began as a process or vehicle through which sensitive issues such as school segregation could be analyzed and discussed. Lamentably, some school districts did not heed or follow through with these discussions or actions. OKCPS would be one of these districts that would face legal action for not following through on the promise of *Brown* (1954). Through *Dowell v. BOE of OKCPS* (1963), OKCPS would begin a legislative roller coaster of desegregation planning that would ultimately lead to a turn away from a full conceptualization and systemic internalization of the premises of *Brown* (1954).

Legislative History of *Dowell v. BOE of OKCPS* (1963-1991)

The legislative process of *Dowell v. BOE of OKCPS* (1963-1991) from the 1960s to the 1990s was a long and arduous process. It involved extensive amounts of time and inordinate resources of all kinds. The 1991 case changed from *Dowell v. BOE of OKCPS* (1963) to *BOE of OKCPS v. Dowell* (1991). OKCPS, at this time, filed to be released from court-ordered mandatory desegregation planning. Thus, the 1991 court agreed with the OKCPS. The court believed that OKCPS had eliminated all vestiges of past discrimination and was operating a unitary, not dual, school system. OKCPS had proven, in the court's eyes that they had done sufficient desegregation planning and had created a diversified school district. They also reasoned that because of personal resident choice only so much could be done about residentially segregated areas. Thus, the re-segregation of the OKCPS schools represents a step backward. It not only undoes everything *Dowell* (1963-1991) fought for, but also potentially symbolizes institutional racism in a new form. In their book, *Race, Class, and Education: The Politics of Second Generation Discrimination*, Kenneth Meir, Joseph Stewart Jr., and Robert England (1989) have argued that the policy that defined equal educational opportunity as desegregated education "ignored the continued resistance to integration and permitted the development of other methods of limiting access to minorities"(as stated in Tyson, 2011, p. 13).

Beginning in the 1960s and continuing into the 1990s, the nationally known case, *Dowell v. BOE of OKCPS* (1963), continued to be appealed. The case would finally be decided and settled in 1991. Occurring after countless years of litigation by Mr. Alfonzo L. Dowell, in 1991, OKCPS believed that it had finally fulfilled the court's

desegregation request and had eliminated segregation in its schools. The final case was known as *BOE of OKCPS v. Dowell (*1991). OKCPS brought evidence of greater test scores in desegregated OKCPS schools and other student demographic data to the attention of the courts. Subsequently, OKCPS was released from court-ordered desegregation planning.

Dowell v. BOE of OKCPS (1963) legislation spanned almost 30 years and went through several stages. The next section briefly summarizes these important stages of the *Dowell* (1963) litigation from the beginning in 1963 to the end in 1991. Table 1 summarizes the stages of the *Dowell* (1963) litigation and the significance of that decision.

Table 1

Timeline of Dowell (1963-1991) Litigation

1963	**1970**	**1972**	**1985-1986**	**1991**
Robert Dowell, high school student, was denied transfer to a Caucasian high school due to race. Mr. A.L. Dowell, father filed suit against Oklahoma City Public Schools on the basis of discrimination based on race.	Oklahoma City Public Schools was ordered to create a Comprehensive Desegregation Plan for its junior and senior high schools.	Oklahoma City Public Schools introduces a plan named, Opening Doors in Education, aimed at desegregating its elementary schools. The plan involved only experiences with diversity and was voluntary. Dr. John Finger introduces components of the Finger Plan.	Oklahoma City Public Schools adopts a new plan named the Student Reassignment Plan. This plan significantly deviated from the Finger Plan and eliminated mandatory busing.	Oklahoma City Public Schools files against Mr. A.L. Dowell stating that Oklahoma City Public Schools is a desegregated school system and no longer requires court supervision. Oklahoma City Public Schools was released from supervision status.

The following sections more specifically outline the stages and outcomes of each *Dowell* (1963) case from 1963 to 1991. They provide detailed steps OKCPS took

in order to desegregate its schools and then to be released from court ordered desegregation planning in 1991.

1963*:* Robert Dowell denied transfer to Caucasian school. *Dowell v. BOE of OKCPS* (1963) began as a suit against educational inequality through residential segregation but also raised awareness of other inequalities such as affirmative action, re-segregation of schools, and school desegregation plans. Mr. A. L. Dowell, an African American optometrist and local government council member in OKC, filed the foremost initial case for his minor son, Robert Dowell. As such, Robert Dowell filed all other preceding cases.

As the initial case for OKCPS, Robert L. Dowell, an African American minor brings suit against the OKCPS, through his father, Mr. A. L. Dowell, claiming racial discrimination due to his denial to be transferred to a predominantly Caucasian school from a predominantly African American school, solely because of his race. Mr. A.L. Dowell along with other OKCPS parents maintained that OKCPS discriminated based on race alone when Robert Dowell was denied transfer to another school for a specific class. Mr. Dowell charged the OKCPS of operating a student transfer policy that discriminates based on race. Though assigned to a predominantly African American school based on residential attendance zones, Robert Dowell, student, wished to take a Latin course offered only at the predominantly Caucasian high school, Northeast High School. Mr. Dowell wished for his son to be granted a transfer based on his aptitude and need for this course.

Robert Dowell, a high school student who had attended Douglass High School for one year, in which the school was comprised predominantly of African Americans,

desired to be transferred to the nearby, then predominantly Caucasian, Northeast High School. This interest in being transferred was because a Latin course that was not offered at Douglass High School was offered at Northeast High School. As African American and Caucasian schools were not equal in terms of the quantity or quality of courses offered, the desired course was an honors-level course not offered at Douglass High School. When Robert Dowell was denied transfer into Northeast High School due to residential reasons based on race restrictions, Robert Dowell's father, Mr. A.L. Dowell, with other supporting OKCPS parents and citizens proceeded with a lawsuit against OKCPS. They proceeded to charge the OKCPS with local and district enforced residential segregation that had caused segregation of neighborhood schools within the OKCPS.

Therefore, on the third day of April 1962, a three-judge court assembled to hear evidence and testimony in the initial *Dowell* (1963). Mr. Dowell raised issues pertaining not only to the transfer policy but also to an additional claim that the Douglass High School attendance area was gerrymandered. The attendance area included an exorbitant number of African American students (*Dowell v. BOE of OKCPS*, 1963, p. 427). In other words, the charge of local and state mandated residential segregation leading to school segregation in the OKCPS was challenged. OKCPS had made no real effort to desegregate schools since the *Brown v. BOE* (1954) decision. OKC realtors and city managers were charged with not allowing African American families residence in certain neighborhoods (*Dowell v. BOE of OKCPS*, 1963, p. 427). African Americans were steered and designated to reside in only certain segregated areas of the city. OKC was residentially segregated. A majority of African Americans populated the east and

southeast portions of OKC while a majority of Caucasians (Dowell v. BOE of OKCPS, 1963, p. 427) occupied all other sections of the city.

In addition to evidence of the operation of state sanctioned residential segregation by the OKCPS, Mr. Dowell also stated that upon entrance into the OKCPS from a nearby dependent school district, his family was encouraged to attend Douglass High School. After his son attended Douglass High School for one year, Mr. Dowell requested a transfer for his son Robert to OKCPS Northeast High School. Douglass High School, being the only school allowable for African American student attendance at that time, did not offer special classes like other OKCPS high schools, including Northeast High School. Mr. Dowell wished to provide the best education possible for his son and wished strongly that his son attend Northeast High School in order to take advantage of the special classes offered there.

In 1961–1962, OKCPS African American students were allowed attendance to only 11 Elementary, one Junior High, and one Senior High school within the OKCPS. All Caucasian students within the district had enrollment access to 65 elementary schools, five junior high schools, and seven senior high schools.

At this time, the court did not find sufficient evidence of "gerrymandering" of the district. Gerrymandering occurs when a district divides an area into specific sections in order to give special advantages or privileges to a certain group. After the 1963 initial court ruling, OKCPS attempted to integrate its schools by drawing new attendance zones. New attendance lines were planned to follow a minority to majority policy for assigning students to schools. This minority to majority policy reflected a move away from neighborhood schools but was a voluntary policy. This policy assigned a small

number of willing minority students to Caucasian majority schools. However, due to the already residentially segregated areas of Oklahoma City and the feeling of inferiority felt by the African American students, this was a halfhearted attempt and was not very successful in achieving true district-wide integration.

> Out of 101 schools, only 14 had some evidence of intended integration after these attempts had been enacted following the 1963 decision in Mr. Dowell's favor. This minority to majority policy was in all an insufficient attempt at desegregation and as long as this policy is continued there will never be a good faith desegregation and integration of the OKCPS school district. (*Dowell v. BOE of OKCPS,* 1963, p. 427)

OKCPS had yet, as of the 1963 ruling, to employ the assistance of any person familiar with the problem of integration of schools. Consultants had been hired by the OKC Council for other such matters such as traffic patterns, but not to inform the district about school integration planning. Following the 1963 ruling, the OKCPS was ordered to allow, son, Robert Dowell enrollment at the predominantly Caucasian Northeast High School and within 90 days present all pertinent information utilized in the formation of school attendance areas. The court in 1963 wished to analyze attendance zones and decide whether they had been created in good faith or whether gerrymandering had, in fact, been practiced.

This initial suit in 1963 provided evidence challenging the OKCPS's minority to majority policy for desegregating its schools. Mr. Dowell held that this policy and the school board alike did little action to eliminate tangible elements of a segregated school system. The minority to majority policy, which made statements regarding the future

attainment of a desegregated school system, was found to be insufficient in making real progress toward desegregation. Therefore, the court in 1963 employed the assistance of a panel of unbiased, unprejudiced, and qualified experts to survey, analyze, and report on the integration progress of OKCPS. Consequently, in both the panel's and the court's findings in 1963, it was noted that discrimination by realtors and financial institutions were perpetuating residential segregation thus resulting in school segregation. Discriminatory practices were enacted to discourage African Americans from residing in majority Caucasian neighborhoods or areas of town.

Therefore, when the OKCPS prepared resident based attendance lines, these segregated areas created virtually 100% either all-Caucasian or all-African American neighborhood schools. The OKCPS's goal of equal educational opportunities superimposed over state imposed residential segregation, lead to a segregated school system. This result follows because African American students residing in all-minority areas are locked into neighborhood schools. Additionally, integrated areas and schools are destroyed because uncorrected racial restrictions in the housing system enable Caucasians to move to areas populated by all Caucasians, secure in the knowledge that housing segregation and the neighborhood school policy in Oklahoma City will not enable African Americans to follow them (*Dowell v. BOE of OKCPS,* 1965, p. 971). Moreover, the conclusion to this case decided in 1963 was that OKCPS had intentionally segregated the housing and school systems of Oklahoma City. It was operating a dual school system. This dual school system was found to be inequitable when having different schools for African Americans and other schools reserved for Caucasians only. This treatment thus gave Caucasians a better advantage towards

success, while a feeling of inferiority was most likely felt by African American students. The court ordered OKCPS to create a desegregation plan aimed at increasing integration within the OKCPS (*Dowell v. BOE of OKCPS*, 1965, p. 971).

1970: Comprehensive Desegregation Plan. Within this 1970 case, the OKCPS presented its Comprehensive Desegregation Plan for junior and senior high schools. The comprehensive plan worked to have high schools serve as both home base schools for students living in that particular geographic attendance area and as centers, offering specialized programs and activities. Students attended, as home base, the school near their geographic location but were allowed to move to other schools within a set of cluster schools for coursework in other specialty fields. Two clusters were formed from the OKCPS high schools to serve these purposes. Segregation of the elementary schools would be forthcoming. This plan was created in the hope of desegregating the current junior and senior high schools and eventually the surrounding neighborhoods and elementary schools as well (*Dowell v. BOE of OKCPS*, 1970, p. 583).

1972: Opening Doors in Education Desegregation Plan created. As stated in the previous 1970 case, the OKCPS was directed by the court to carry out the specified Comprehensive Plan for the OKCPS's junior and senior high schools. In the 1972 (*Dowell v. BOE of OKCPS*, 1972, p. 1256) case, Mr. Dowell again filed against the OKCPS for failing to carry out the terms of the Comprehensive Desegregation Plan. The court found that OKCPS never fully implemented the specified terms of the plan. The court in 1972 noted that without notice or permission, the OKCPS Board of Education made changes that, in effect, destroyed the potential effectiveness of the plan. Changes, such as offering specialized courses in the majority of the neighborhood high

schools, permitted students to take all required courses in their home base or neighborhood high school without ever leaving. Thereby, this situation thwarted any effective desegregation efforts. It was merely a freedom of choice plan, whereby, students could elect or not elect to participate. Due to years of inequitable treatment by Caucasians and feelings of inferiority, African American students in the one segregated high school were allowed to take specialty courses elsewhere but felt both afraid and intimidated to take advantage of this opportunity due to past inequitable treatment. They either feared or were discouraged from taking advantage of courses at any other school except their home base or neighborhood school. Therefore, this voluntary Comprehensive Desegregation Plan of the OKCPS's junior and senior high schools were not effective at promoting true school desegregation.

Additionally, the court found that there were no real steps taken to desegregate junior high schools either. A program of cultural activities, exchange assemblies, and diversity clubs were formed to create a unitary school system (a system where all is equal for everyone) in lieu of a real school desegregation plan. Although, the court noted that, intercultural exchanges and diversity programs are no substitute for a real desegregation plan (*Dowell v. BOE of OKCPS,* 1972, p. 1256).

As the Comprehensive Desegregation Plan was deemed ineffective by the courts, OKCPS in 1972 introduced their desegregation plan for its elementary schools. This Opening Doors in Education Plan was created in the hope of satisfying the terms of the desegregation order put forth by the courts after the comprehensive plan was not effective at true desegregation efforts. Opening Doors in Education was created for the 86 segregated elementary schools (76 were substantially disproportionate in their racial

composition). This elementary school desegregation plan provided for students in grades four through six. The plan indicated that students may participate in periodic regularly scheduled joint activities by parental permission only. The plan did not involve kindergarten through third grade and was not effective at true school desegregation, in that, activities were voluntary and parental permission was required. Once again, the court maintained that the desegregation requirement was not for experiences with integration but for full and complete school desegregation. Therefore, the dual school system in operation in OKCPS remained unaffected at that time (*Dowell v. BOE of OKCPS*, 1972, p. 1256). Neither the Comprehensive Desegregation Plan for OKCPS's junior and senior high schools nor the Opening Doors in Education elementary desegregation plan worked to effectively achieve racial balance in OKCPS schools. Consequently, OKCPS enlisted the assistance of an outside consultant. This outside consultant, Dr. John A. Finger, introduced components of a complete desegregation plan. It would become known as The Finger Plan, after its creator. For the high schools, the Finger Plan restructured the attendance zones so that each high school enrolled both African American and Caucasian students together. The Finger Plan used an elementary school feeder system wherein students were assigned to a high school based on the elementary school attendance zone in which their home was located. The junior high school attendance zones were similarly redrawn to transport African American students to outlying schools in order to increase diversity. Additionally, new elementary attendance zones were created under the Finger Plan that increased the number of schools that fell within the range of 10% to 30% African American student attendance and remained as essentially walk-in schools without a

specific residence requirement (*Dowell v. BOE of OKCPS*, 1972, p. 1256). OKCPS rejected the Finger Plan at the time it was proposed and preferred to continue with the Comprehensive Desegregation Plan for the junior and senior high schools and the Opening Doors in Education Plan for the elementary schools. The District's policy reflected a shift towards protecting neighborhood schools and rationalized its inflexibility on the basis that public opinion was opposed to any further desegregation (*Dowell v. BOE of OKCPS*, 1972, p. 1256).

1977: The Finger Plan is fully implemented. In 1977, OKCPS finally enforced effective strategies to end segregation. Still termed, The Finger Plan, OKCPS adopted a new version of the plan. The new Finger Plan involved serious desegregation strategies and included adopting new attendance zones as well as cross-town busing. The new Finger Plan strategically grouped all OKCPS neighborhoods into specific sections that included a mixture of varying cultures and ethnicities. These sections were then used along with busing to increase diversity within the sections' less diversified schools. A Diversity Committee consisting of school leaders and consultants was also created, with OKCPS to oversee the Finger Plan. In 1976, OKCPS filed a motion to close the case pertaining to the *Dowell* (1963) case and in light of OKCPS's court ordered desegregation mandate. OKCPS maintained that it had eliminated all vestiges of state-imposed racial discrimination in its schools and was operating a unitary school system. For another eight years, the Finger Plan continued to be operative throughout the OKCPS. In lieu of the new Finger Plan, OKCPS was released from full court supervision and was granted unitary status by a district court. However, in 1984, it became apparent that certain inequities were beginning to transpire from the

kindergarten to fifth grade stand-alone concept. Under the Finger Plan, elementary schools did not participate in compulsory busing and thus were relegated to the status of neighborhood schools. Because of demographic changes within Oklahoma City, kindergarten to fifth grade schools had become racially unbalanced thus needing specific attention to create a more racially balanced neighborhood. The use of segregated neighborhoods assigned to specific schools thus again created a segregated school system.

1985-1986: Student Reassignment Plan created. In 1986, Mr. Dowell challenged the operation of the new Finger Plan because OKCPS now had racially coded schools. After many board hearings and an equity study of the OKCPS school desegregation issue by outside consultants was completed, a new student assignment plan eliminating kindergarten to fifth grade neighborhood stand-alone schools was created. Standalone schools are schools which have no residence requirement for attendance. The kindergartens to fifth grade schools were replaced by a kindergarten to fourth grade neighborhood school concept. This new, Student Reassignment Plan restructured the way in which students were assigned to elementary schools. The Student Reassignment Plan (SRP), introduced in 1985, much like the Finger Plan, changed attendance zones to help further school integration and did not utilize compulsory busing of students in grades one through four thus reinstituting neighborhood elementary schools for these grades. In the SRP, students in attendance at a school attended by 90%, or more, of one race (*Dowell v. BOE of OKCPS*, 1985, p. 1548), were chosen to attend 33 of the 64 elementary schools in the OKCPS. Under the SRP, free transportation was offered to students in the racial majority in any school who

wanted to transfer to another more diverse school (*Dowell v. BOE of OKCPS*, 1985, p. 1548). Without busing of students, some racially identifiable neighborhood schools were unaffected. As a result, Mr. Dowell challenged the constitutionality of the Plan.

1986: Student Reassignment Plan is challenged. Mr. Dowell challenged OKCPS's decision to adopt a new Student Reassignment Plan (SRP) for kindergarten through fourth grade. As declared in 1977, the school board had been restored to total independence. The court had relinquished to the OKCPS control over the district and declared that, OKCPS is operating as a unitary system. In lieu of the switch to the SRP, Mr. Dowell challenged the constitutionality of the creation of segregated elementary schools created through implementation of the SRP. OKCPS was granted independence due to the court's assurance of continuance of the Finger Plan, not the SRP. The OKCPS must not only have achieved unitary status but needed to make strides to maintain the status as well. This new SRP deviated from the Finger Plan by the maintenance of neighborhood schools, which, without busing, resulted in a resurgence of segregated schools. Therefore, the tenth Circuit Court reversed the decisions of the trial court and decided to further discuss the effectiveness of the Student Reassignment Plan at achieving true school integration.

The major topic of concern in the 1987 case was discovering the cause of current residential segregation in OKC (*Dowell v. BOE of OKCPS*, 1987, p. 1503). The elimination of compulsory busing in the OKCPS had led to the return of elementary students to their local neighborhood elementary school. "When the district ended busing of elementary students in 1986, it left nine schools with more than 90 percent Black student population" (Perry, 1990, p. 1). These nine schools, called the Dowell schools,

included Creston Hills, Dewey, Dunbar, Garden Oaks, Martin Luther King, Longfellow, North Highland, and Polk (Perry, 1990, p.1). Mr. Dowell challenged the existence of these segregated elementary schools due to residential segregation caused by the SRP.

Therefore, OKCPS conducted a study of relocation characteristics of the school's African American population. Families with African American kindergarten students residing in the east inner city area as of 1974–75, who relocated by 1977–78 were the study's focus. The results did show mobility to other parts of the inner city area and out of the inner city area but within the school district. Some even relocated to past predominantly Caucasian majority sections of the city. The 1980 census confirmed the outcomes of OKCPS's relocation study. It revealed a substantial movement of African Americans to the northern, western, and southern parts of the OKCPS district and few African Americans moving in or continuing to reside in the east inner city (*Dowell v. BOE of OKCPS*, 1987, p. 1503). Therefore, between 1960 and 1980, the demographic makeup of the OKC area changed tremendously with African Americans moving to previously unattainable parts of the city. Oklahoma City's African American citizens no longer felt relegated to one specific side of town. In lieu of better jobs, better education, African Americans begun to spread out amongst the entire urban Oklahoma City region. They begin to take residence in areas considered 'off limits' or 'unattainable' in past years. Dr. William Clark, one of the OKCPS's expert witnesses in the 1986 case, revealed in his study of the district's residential areas, "These relocation studies reveal the compulsory busing of African American children to a certain area does not have any appreciable effect on where their parents chose to relocate" (*Dowell v. BOE of OKCPS*, 1987, p. 1503). Dr. Finis Welch, another expert witness for OKCPS,

analyzed the racial composition of the residential attendance zones in the district from 1972 to 1986. Through his analysis, Dr. Welch projected "that the integration of OKC neighborhoods would continue to increase… " (*Dowell v. BOE of OKCPS*, 1987, p. 1503).

Yet another tool used by OKCPS to prove that residential segregation in Oklahoma City had diminished was the use of a dissimilarity index. When compared to other metropolitan areas, OKC experienced the eighth largest reduction in the index of dissimilarity or the eighth greatest improvement in integration. Even after implementation of the SRP, the degree of overall dissimilarity among the races attending school in OKCPS was consistently, low (*Dowell v. BOE of OKCPS*, 1987, p. 1503). OKCPS was compared to other school districts that had been declared unitary by the Justice Department. Out of 47 school districts in the nation, OKCPS was the 27th most integrated school district during the years of 1985-1991. With this new knowledge of a better-integrated city, OKCPS would now make efforts to eliminate its court ordered desegregation status. It would look to these new facts in an effort to have their desegregation mandate eradicated.

1991: Oklahoma City Public Schools released from court ordered desegregation status. With the implementation of the Finger Plan and the Student Reassignment Plan, OKCPS sought to be released from court jurisdiction at that time. Mr. Dowell charged that due to continued signs of residential segregation and the District's move away from the integration guidelines set forth in the Finger Plan, OKCPS should not be released from court supervision. The Supreme Court noted the proper way for dissolving a desegregation decree is when its purposes have been

fulfilled. The Supreme Court had the task of deciding whether the OKCPS made sufficient progress towards achieving a unitary status within its schools.

OKCPS submitted evidence regarding an increase in residential integration and school integration in lieu of the SRP or Finger Plan. OKCPS did not have to show that education gains or opportunities were equal between minority children and Caucasian children. Additionally, the Supreme Court did not require that OKCPS provide "solid evidence that discriminatory attitudes and assumptions growing out of a history of segregation ha[d] been purged from the local educational system" (Eaton & Orfield, 1996, p. 20).

After careful and lengthy review of all residential segregation information, the Supreme Court found that the vestiges of past discrimination in OKCPS had been eliminated to the greatest extent practicable as of 1991 as it relates to residential segregation. The Supreme Court then proceeded to terminate its jurisdiction and dismiss any further action. The court ordered that no one can reopen this case without the court's prior approval. The residentially segregated areas of the city in 1991 were ruled to be beyond the scope of the school district and attributable to personal preferences. As of 1991, OKCPS was no longer under court jurisdiction and was free to manage student integration independently.

BOE of OKCPS v. Dowell **(1991) and John Marshall High School**

The *Dowell* (1963-1991) case, specifically BOE *of OKCPS v. Dowell* (1991) was used as a legal lens to understand the JMHS relocation and events surrounding it. In 1991, OKCPS persuaded the Supreme Court to release them from court ordered desegregation planning. In *BOE of OKCPS v. Dowell* (1991), the Supreme Court

released the district from court-ordered desegregation planning. OKCPS argued that they had attempted many plans but due to reasons such as lack of busing, residential segregation and family choice, positive effects on student diversity were minimal (*Dowell*, 1991). OKCPS rationalized that due to these reasons, little could be done in the way of an effective desegregation plan until the problem of residential segregation was resolved. Agreeing to continue the search for effective school desegregation plan while continuing to examine student diversity, OKCPS was released from court ordered desegregation planning. The court no longer had jurisdiction in the school desegregation/integration affairs of the district. Unfortunately, the effects of *Dowell* (1963) have caused residential discrimination that continues to negatively influence the racial makeup of OKCPS. African Americans had no choice but to reside in certain areas of OKC. These particular areas remain somewhat segregated today. However, currently, African Americans reside in every part of Oklahoma City, while some city neighborhoods continue to be heavily segregated and populated by mostly African Americans. This remains true for an increasing Hispanic population as well. Examples of these segregated neighborhoods are depicted in the following statistics. As found in the OKCPS District Statistical Profile document for 2010-2011, Capitol Hill High School, which is located in the largely Hispanic community of Capitol Hill, maintains a 60% Hispanic student population with each of the other races below 20%. Likewise, Southeast High School for Technology possesses a Hispanic student population of 56%, and a Caucasian student population of 21%. Grant High School holds a Hispanic student population of 68%, with all other ethnic groups below 20%. Conversely, the African American communities are represented by majority one-race schools as well.

Northeast Academy of Health Science and Engineering, although a specialty school, has an 86% African American student population, with all other ethnic groups well below 10% each.

Located in the largely African American community (city) of Star Spencer, Star Spencer High School maintains the same concentration in its school with an 88% African American student population with all other ethnic groups considerably below 10%. Oklahoma Centennial High School, a 6th through 12th grade school, to where some students previously served by the JMHS were moved, possessed a 66% African American, 18% Hispanic and 9% Caucasian student population during the 2009–2010 school year. This school reflects the almost identical ethnic distribution and percentages of the JMHS before relocation. Residing at 900 North Martin Luther King in the heart of the largely African American northeastern side of the city, stands Douglass High School. Douglass High School, one of the only schools historically in which African Americans were allowed to enroll, maintains a 91% African American student population. Its racial composition is the most segregated of all with 91% African American 5% White, 3% Hispanic, and 1% American Indian. Historically and currently, the district's schools mirror the residential areas within which they are located.

John Marshall High School. Prior to its move, JMHS resided in the attendance area of The Village and North Highlands. JMHS now resides within and close to the neighborhood and community of Quail Creek. With the Village and North Highlands neighborhoods occupied by modest lower to middle class residents, Quail Creek is the exact opposite, being home to middle to upper class residents. The racial and economic

makeup of the neighborhoods of The Village, North Highlands, Nichols Hills and Quail Creek will now be depicted.

The Village. Prior to its move, JMHS was located within the neighborhoods of The Village and North Highlands. According to www.citydata.com, the Village is situated just to the east of JMHS. In 2010, the Village's population was 8,929. In 2009, the Village held a median house value of $108,423(http://www.city-data.com). The community is diverse.

North Highlands. The neighborhood of North Highlands is located to the west of JMHS. The median home value in North Highlands is $53,000. The area is home to a mostly minority population (source: http://www.trulia.com).

Nichols Hills. Situated a few blocks north of old JMHS stands Nichols Hills. Some parts of this neighborhood are in the attendance zone for the old and new JMHS. According to 2009 data on www.citydata.com, Nichols Hills held a population of 3,710 residents. The median house value is $402,713 with a predominantly Caucasian population.

Quail Creek. During its monumental move in the summer of 2006, JMHS relocated to a completely different neighborhood. It currently stands at 12201 N. Portland, OKC 73120. Because of this move, its board district location, City Council Ward, State Senate and State House District seats were all changed. Racial/ethnic student composition for the first year (2006–2007) was 66% African American, 19% White, 7% Hispanic, and 6% American Indian, and 2% Asian. JMHS is now located several miles to the north near the neighborhood of Quail Creek in OKC. Quail Creek is a large northwest OKC neighborhood consisting of over 1,700 homes covering 2 square

miles. Its median or average home sales in the area range from $59,000 to $850,000 (source: http://www.okchomesellers.com). The racial composition of the neighborhood is predominantly Caucasian with smaller minority populations of African American and Hispanic.

Some sixteen years after OKCPS was released from court ordered desegregation following BOE *of OKCPS v. Dowell (1991),* JMHS was relocated to an area both economically and culturally different from its previous location while displacing some students to a segregated school. This move caused local controversy and the community felt abandoned from the District's intention of pursuing greater student integration in its schools. In lieu of re-segregation within the OKCPS, community members could not understand reasons behind JMHS being relocated to an area much farther away and economically superior.

Guiding Legal Framework

In lieu of the 1991 release from court control in *Dowell* (1991), this study seeks to determine whether student diversity played an important role when John Marshall High School was relocated from one racially significant area to another racially significant area. It uses the *Dowell* (1963-1991) cases to frame the role diversity played when JMHS was relocated, displacing some students in the process. This study seeks to discuss the issues surrounding the relocation of JMHS through the legal analysis of *Dowell* (1991) and findings to three research questions.

As the major focus and issue through all *Dowell* (1963-1991) litigation is school segregation caused by residential segregation. Residential segregation remains the major contributor of school segregation in Oklahoma City Public Schools (OKCPS).

Residential segregation continues to provide challenges for OKCPS administration as it strives to maintain diverse schools. *Dowell* (1963-1991) legislation caused OKCPS to extensively review and better enforce effective school desegregation plans. JMHS, an OKCPS high school, was chosen as a school in need of a new building. The school was relocated from a largely minority-based, Black community to a largely majority-based, White community. The racial make-up of the two surrounding neighborhoods are contrasting realities. Because there were no other schools in the new area, new attendance lines had to be drawn. The school previously serving grades 9^{th} -12^{th} was also configured to serve grades 6^{th} -12^{th}. Initially new attendance lines excluded some of JMHS's current students, sending them to another school, Oklahoma Centennial High School. Oklahoma Centennial High School, configured to accommodate middle and high school grades, was also and still possesses, a majority African American student population. *BOE of OKCPS v. Dowell* (1991) is used as a reference or focal point to understanding the relocation of JMHS and events surrounding it. The study's findings are analyzed in relation to *Dowell* (1991) in terms of understanding the connection to or effects from being released from court ordered desegregation efforts.

Perspectives on Residential Segregation

Race continues to be an issue not only in American education but also in America's neighborhoods. In many urban cities, neighborhoods and certain parts of the city remain highly segregated. America's racial groups continue to be highly segregated by neighborhood and municipal boundaries. Across neighborhoods, cities, and suburbs, America's ethnic and racial groups continue to live more apart than together (Oliver, 2010).

Early ordinances in 1963 in Oklahoma City set aside different, separate residential areas for African Americans and Caucasians. Additionally, past developers platted lands with restrictive covenants that prohibited the sale of homes to African Americans in 1963. There were clearly identifiable sections of the city. African Americans and Caucasians (residing in the central east portions of the city) occupied the east and southeast portions. Thus, the schools were centrally located in the African American areas of town (the central east section of Oklahoma City).

The effects of the decision to return the Dowell elementary schools back to neighborhood schools can still be noticed today. The Dowell schools, which were of major concern to Mr. Dowell, continue to be attended by majority African American students. Due to the surrounding neighborhoods, still racially coded, these Dowell schools are now and have been historically African American schools. The District's other elementary, middle and high schools, while not as racially identifiable as these elementary schools, mirror the neighborhood racial makeup wherein they reside.

With the creation of many close-by suburban school districts and neighborhoods, many African Americans are choosing to leave and indeed, have left the OKCPS district. The numbers of both African Americans and Caucasians in OKCPS continue to decline with the Hispanic population increasing. According to the OKCPS Statistical Manual 1971-2012, the Caucasian student population in 1971–1972 stood at approximately 50,000 and in 2010-2011, had declined to approximately 7,500. The African American student population has also decreased from almost 20,000 in 1971–1972 to approximately 9,500 students in 2010-2011. With the most growth, the

Hispanic student population has grown from below 1,500 students in the 1970's to over 15, 000 students in 2010-2011.

Suburban Oklahoma City has become the place of exodus for those weary of urban life. However, like most major cities, some parts of the inner city remain segregated. As to the current causes of residential segregation, the issue of economics is an essential component towards a thorough understanding or explanation. In other words, with the economic gap between socioeconomic classes getting wider, poor African Americans and other minority groups are choosing to stay in the inner city, usually within segregated areas of the city.

State-mandated segregated housing practices have unfortunately attributed to the still racially isolated neighborhoods of Oklahoma City. Communities in OKC, much like other urban areas, remain segregated by both economic and racial lines. In *American Apartheid: Segregation and the Making of the Underclass*, geographers Douglass Massey and Nancy Denton (1993), summarized the issue of segregation by stating that Americans don't realize that urban America remains residentially segregated and that segregation is maintained by on-going institutional arrangements and contemporary individual actions (p. 1). These, then, segregated communities, spill into the neighboring school institutions. Thus, the individual neighborhood-placed schools of OKC are a mirror of their respective communities. Southeast High School, located in the South side of OKC, is a highly Hispanic-oriented school. Therefore, Southeast High School is more than 50% Hispanic. Likewise, Douglass High School, located in a largely African American community, is 91% African American.

Nevertheless, OKCPS may never be properly integrated without integration of the surrounding communities and neighborhoods. Effective school integration hinges on effective residential integration. Psychologist, Kenneth Clark, gave clear and concise advice, "If we really mean to stabilize our cities, our suburbs, and our societies as a whole, plans have to be developed with the clear goal of reducing present ghettos and preventing the establishment of future ones" (1968, p. 135 as cited in Alves, Edwards & Willie, 2002, p. 14).

Barriers to Housing Integration

In the late 1960s, at the beginning of the *Dowell* (1963) litigation, the Supreme Court gave very clear orders for full and immediate desegregation plans. Systemically rooted in a variety of public and private forms of discrimination, the ultimate goal of integrated schools became entirely impossible without some discussion of the role of housing discrimination as well. Thus, the Supreme Court's change in its basic understanding of the role of housing in desegregation cases appears in the early 1970s and is consolidated in the early 1990s. The courts deemed themselves powerless to affect residential segregation in a meaningful way and attribute it to personal family preferences. In the book, *Dismantling Desegregation: The Quiet Reversal of Brown v. Board of Education* (1996), authors Gary Orfield and Susan Eaton comment on the evidence of housing discrimination in Oklahoma City. "In the first Supreme Court re-segregation decision, *Board of Education of Oklahoma City Public Schools v. Dowell* (1991), the Supreme Court ignored what three dissenting justices saw as extensive evidence of housing discrimination reinforced by school district actions"(Eaton & Orfield, p. 41).

Moreover, in the 1990s, housing was seen as a reason but not as a problem for school re-segregation. Courts continued to see segregation as a natural process because of personal voluntary preferences and therefore an important justification for judicial inaction. In conflict with the re-segregation decision of *Dowell* (1991), housing research has shown how some cities have integrated schools without busing or even restoration of neighborhood schools without the problem of re-segregation. Despite orders for desegregation, Mr. A.L. Dowell uncovered local housing discriminatory practices that were then tied to school segregation. In most school desegregation disputes, there existed clear proof of a variety of forms of public action that intensified to a large degree, both housing and school segregation:

> Housing actions could include, for example segregated location and tenant assignment for subsidized housing projects; administration of housing voucher and certificate programs in ways that undermine and re-segregate integrated neighborhoods; the use of zoning power to black minority housing; and discrimination in federally supervised mortgage lending institutions. (Orfield & Eaton, 1996, p. 302)

A combination of these factors including others unique to OKCPS both attributed to the school and neighborhood segregation. The uniqueness factors refer to the discriminatory practices used by OKCPS school board members and OKC realtors as they made racially defined school assignment decisions. These decisions and practices would set the stage for continued future neighborhood/ residential segregation that continues to be seen presently, more than 30 years later after *Dowell* (1963).

Research has shown the system of residential segregation to be widespread, very complex, and attributable to a variety of causes.

> Research on the formation and expansion of residential segregation in major cities shows extensive official involvement on many levels. [Residential] segregation is related to regulations, laws, practices of officials, and lax enforcement of antidiscrimination laws. (Orfield & Eaton, 1996, p. 304)

Gary Orfield and Susan Eaton (1996), renowned specialists in the area of school and neighborhood segregation, state that there are four likely causes of school segregation in any community. These cases involve past and current discriminatory practices, past effects of segregatory practices and unequal policies, decreased housing expectations due to past discrimination, and the effects of private family preferences and private prejudices (Orfield & Eaton, 1996). These causes of residential segregation likely have existed for years and will continue to exist for many more years without restructuring of housing agencies and policies nationwide; since causes such as a decrease in the expectations of housing situations, which are directly related to past feelings of inferiority, may never be fully changed. Other causes such as private family preferences and private prejudices as in white flight may take extensive amounts of effort to fully overcome. “White flight” refers to the residential movement of Caucasians to suburban areas in order to flee from “increased contact with minority students” (Orfield & Eaton, 1996, p. 323). These causes of school segregation each play a role in the school segregation problems of OKCPS.

Examination of Related School Segregation Cases

Similar to the initial *Dowell* (1963) case, many school desegregation cases emerged to combat efforts of school districts to continue only marginal attention to the issue of school segregation. Although, *Brown* (1954) clearly called for a desegregation of schools, the nation was slow to act. The following school segregation cases would revisit the challenges of school integration and student diversity in the courts repeatedly.

Though many more than outlined here, these few school segregation cases provide a brief background into the way student integration has been historically treated and handled. Similar to the *Dowell* (1963) case, the following school segregation cases reviewed topics such as court ordered desegregation decrees, residential segregation, and school desegregation. These topics were the major causes of litigation. First, the *Plessy v. Ferguson* (1896) case mandated separate but equal facilities for minorities. The case is mentioned as the beginning and root cause of school segregation in the United States. The case's ruling and intention of separateness and isolation of the races can still be seen today. Next, several other cases are presented about school segregation and their involvement in the student integration movement including their efforts to attain greater appreciation of student diversity. It is with these cases, *Plessy v. Ferguson* (1896*), Estes v. Metropolitan Branches, Dallas National Association for the Advancement of Colored People (NAACP)* (1971), *Milliken v. Bradley* (1974), *Bell v. Board of Education, Akron Public Schools* (1982), and *Freeman v. Pitts* (1991) that the lives of African American and Caucasian students were changed forever. Their lives forever changed due to the focus on and respect for an increased awareness of diversity.

This increase of attention to student diversity not only enriches and expands the education of the Caucasian student but also eliminates feelings or thoughts of inferiority from the African American or minority student. Finally, the last two discussed cases, *Parents Involved in Community Schools v. Seattle School District No. 1* (2007) and *Meredith v. Jefferson County Board of Education* (2007) are more recent and illustrate how districts are attempting to create voluntary desegregation plans for themselves. These two cases represent districts attempting to be proactive about the issue of race and utilizing race as factor in diversifying their schools.

***Plessy v. Ferguson* (1896).** In *Plessy v. Ferguson* (1896), the court upheld a Louisiana statute requiring separate facilities for Caucasian and African American passengers on trains as not in violation of the Fourteenth Amendment prohibition of unequal protection of the laws. The court stated:

> 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 from political equality or a commingling of the two races upon terms unsatisfactory to either. (*Plessy v. Ferguson*, 1896, p. 537)

The Supreme Court's attention towards segregation first began with this landmark case that set forth the "separate but equal" doctrine. The entangled roots of school segregation came from this historic decision. Although, historians may differ in their view of when segregation became firmly established as an institutional practice, there is unanimity concerning its purpose. Editors, M. Christopher Brown II and

RoSusan D. Bartee (2009) speak on the objectives of segregation and its benefits of disenfranchisement to the nation's majority.

> As remnants of *Plessy* (1896), the institution of segregation remains a contingent force for public schools. The objective of segregation particularly seeks to disenfranchise racial minorities from the benefits of access, enjoyment of privileges, and the fulfillment of opportunities within democratic, societal institutions. The institutionalization of segregation serves to protect the existence of inequalities in order to maintain the status quo and prevailing, homogeneous ideologies. (Brown, II & Bartee, 2009, p.2)

Plessy (1896) set forth that as long as facilities were equal for all races they could be separate. Through this case, it was upheld that anyone not using public facilities such as water fountains, bathrooms, and such designed for their specific race could be held criminally liable.

Whether the *Plessy* (1896) court understood the nature and long-term effects of segregation is debatable. The *Plessy* (1896) court lived in a time wherein they themselves could have been committed to Caucasian superiority and because of this, realized that an enforcement of a decision contrary to this would have been impossible and therefore judicially unsound.

***Milliken v. Bradley* (1974).** In 1970, Mr. Bradley filed suit against former Governor Milliken charging that Detroit, Michigan schools were racially segregated due to official policies. The suit charged that Detroit and 53 other outlying districts were racially segregated by official actions and policies. After entering the trial court, it was found that the Detroit public school system was racially segregated because of actions

perpetuated by city and local officials and backed by the Detroit Board of Education. The Detroit Board of Education employed segregatory policies in conjunction with Detroit local and city officials. The court also found that a solely intra-district remedy would result in increased rather than decreased segregation. A desegregation panel was established to prepare a remedial plan that would consolidate the school system and 53 nearby suburban school districts. This plan, similar in purpose, but not scope (it included urban and suburban school districts) to the neighborhood plan of *Dowell* (1963), seemed to be the only possible remedy to districts possessing segregated and unbalanced racial composition. After being affirmed by the Court of Appeals of the Sixth Circuit, the case was appealed to the Supreme Court. The Supreme Court reversed the district's order. The Supreme Court reasoned that there was not sufficient evidence of racial segregation in the 53 other outlying districts and that no desegregation remedy should be imposed on these districts. It relinquished Detroit Public Schools over to its local government for correction of its segregated schools through an appropriate, comprehensive desegregation plan (*Milliken v. Bradley*, 1974, p. 717).

Thus, the *Milliken v. Bradley* (1974) court found that because of the *de facto* segregation and not *de jure* segregation evidenced in the case, such segregation is not an injury attributable to the state and that, therefore, the injured child has no protection under the Equal Protection Clause of the Fourteenth Amendment. The injured child refers to the particular minority student(s) harmed by the racially segregated school system. Unlike *Dowell v. BOE of OKCPS* (1963), the Supreme Court was not able to issue a Court remedy to the Detroit public school children because they saw no right violated by Detroit and the 53 other suburban districts alike. The court did not feel that

desegregation remedies could be placed on districts that were found to not be in violation of *Brown v Board of Education* (1954). There was no evidence that the 53 other outlying districts had deliberately engaged in policies of racial segregation within their schools (*Milliken v. Bradley*, 1974, p. 717). The Detroit Public School system was referred to local government for further action. *De jure* segregation is defined as a current condition of segregation resulting from intentional state action (Raffel, 1998). *De facto* segregation is the opposite, segregation not resulting from intentional state actions (Raffel, 1998). The main difference between *de jure* and *de facto* segregation is the "purpose" or intent factor. This definition originated from *Keyes v. School District No.1* (1973) wherein, the court held that only *de jure* segregation violated the Equal Protection Clause of the Fourteenth Amendment. In *Milliken v. Bradley* (1974), for the first time since *Brown* (1954), the Supreme Court, in 1974, reversed an affirmative school desegregation order. The court held the district court in error when ordering 53 suburban school districts to participate in the desegregation plans of the predominantly African American Detroit school system. The Supreme Court stated that the District Court could not redraw the boundary lines of nearby suburban school districts to achieve racial balance in Detroit's schools. This decision was paramount in perpetuating residential segregation within the suburbs. This decision assured middle class Caucasians that their exit to suburban America, in order to escape African Americans, had not been made in vain. At this time, the 53 other Detroit suburban school districts were not required to participate in Detroit's desegregation plans.

***Estes v. Metropolitan Branches, Dallas National Association for the Advancement of Colored People (NAACP)* (1980).** Focusing primarily on the

feasibility of extensive busing to achieve racial balance in the Dallas Independent School District (DISD) *is Estes v. Dallas National Association for the Advancement of Colored People (NAACP)* (1980). Covering over 351 square miles, DISD at the time was the eighth largest school district in the country. Similar to OKCPS in the *Dowell* (1991) case, DISD has been involved in desegregation litigation since 1955. Since its suit from 1971-1980, the DISD student racial distribution shifted from 69% Caucasian in 1971 to 33.5% Caucasian, 49.1% African American and 16.3% Hispanic in 1979. The Caucasian student population had decreased from 112,000 to fewer than 45,000 students.

The District Court of *Estes* (1980), found that "elements" of a segregated school system still existed, therefore imposing a number of remedies (i.e., busing) for schools to increase integration. Appealing this decision, *Estes* (1980) wanted more extensive reassignment and transportation of pupils. Stating, "Nothing less than the elimination of predominantly one-race schools is constitutionally required," (*Estes v. Metropolitan Branches, Dallas NAACP,* 1980, p. 437) the Court of Appeals remanded the decision of a new desegregation plan.

During a long trial on remand, the district court considered six desegregation plans and heard nearly 50 witnesses and numerous experts. After long consideration and research done by the courts, the district court noted DISD for its continued good faith in establishing a unitary system; a unitary system in which resources and facilities were integrated, equal, and equitable for all races of students. The court moved to order the school district to adopt a plan that would achieve desegregation in a more "realistic" way (*Estes v. Metropolitan Branches, Dallas NAACP,* 1980, p. 437*).*

The Dallas Alliance Task Force, composed of an even number of minorities as well as Caucasians, including numerous community organizations was created to form proposals for this new Comprehensive Desegregation Plan. With proposals from the Dallas Alliance Task Force and attention to the characteristics of the DISD, the District Court formulated a school desegregation plan for the DISD to follow. This new plan included dividing the DISD into six, smaller sub-districts. The District's Comprehensive Desegregation Plan included: (a) placing kindergarten through third grade students, because of their young age, in neighborhood schools, (b) assigning fourth through eighth grades to central city schools in each sub-district, and (c) assigning grades 9 through 12 to schools in their particular sub-district based on geographical attendance zones (*Estes v. Metropolitan Dallas NAACP*, 1980, p. 437). A number of magnet high schools were also created in each of the six sub-districts to offer advanced educational opportunities. Students who were in the majority at a school could transfer to another school where they would be in the minority. This plan was a majority to minority transfer policy and was one strategy Dallas ISD used to better integrate their racially coded schools.

As with many desegregation strategies intended to diffuse the effects of residential segregation within the school setting, integration remedies in this case involved and could not have occurred without extensive busing issues. Thousands of students were bussed across the DISD. Although, the DISD did not clearly represent a case as unique as *Dowell* (1963) in reference to politically mandated segregated neighborhoods and housing, it does highlight the similar problem of racially coded or single race schools within a large urban district.

***Bell v. Board of Education, Akron Public Schools* (1982).** Two public school systems in the state of Ohio faced the effects segregated neighborhoods have on schools in 1982. In *Bell v. Board of Education, Akron Public Schools* (1982), three liability claims brought by Mr. and Mrs. Bell were challenged in the court. The Akron school board was charged for maintaining an enclave of racially identifiable African American schools in the middle-western portion of the city of Akron. The alleged segregation was said, by Mr. and Mrs. Bell, to have occurred since 1965 (*Bell v. Board of Education, Akron Public Schools*, 1982, p. 963). In 1982, Akron Public Schools operated under scrutiny for possessing a dual school systems and engaging in intentional acts in efforts to perpetuate and increase segregation within the school system. Lastly, the sheer existence of highly racially identifiable schools is because of patterns of residential racial segregation. The second component of this complaint attributes government agencies for contributing to the patterns of residential segregation. The district court found no segregate intent by the Akron School Board and declined to rule on the alleged discriminatory practices of the government agencies because they were not parties to this case.

***Freeman v. Pitts* (1991).** *Freeman v. Pitts* (1991) also involves a court-ordered desegregation decree for the DeKalb County School System (DCSS). DeKalb County Georgia, a major suburb of Atlanta, was charged with operating a dual school system and underwent court-ordered desegregation oversight by the United States District Court. DCSS has been under the supervision and jurisdiction of the United States District Court for the Northern District of Georgia since 1969, when it was ordered to dismantle its dual school system. DCSS had been operating a separate school system for

Caucasians and for African Americans since 1969. It had created a desegregation plan and had carried out the plans details. In 1986, after implementing the desegregation decree in student attendance and three other important factors, DCSS filed a motion for final dismissal from court-ordered desegregation. The District Court ruled that DCSS had not achieved full unitary status, but had done so in student attendance. DCSS was not a completely integrated school district at this time but had taken steps in order to pursue greater diversity in its schools. In its order, the District Court relinquished remedial control regarding those aspects of the system in which unitary status had been achieved, and retained supervisory authority only for those aspects of the school system in which the district was not in full compliance (*Freeman v. Pitts,* 1991).

As *Plessy v. Ferguson* (1896), *Milliken v. Bradley* (1974), *Estes v. Metropolitan Branches, Dallas National Association for the Advancement of Colored People (NAACP)* (1980), , *Bell v. Board of Education, Akron Public Schools,* (1982), and *Freeman v. Pitts* (1991) have shown, courts have attempted to step in and correct racial disparities with deep roots in both housing and school discrimination. Table 2 summarizes these cases and the topics to which they were similar to *Dowell* (1991).

Table 2

Comparison of Related Cases to Dowell (1991)

	Plessy v. Ferguson (1896)	*Milliken v. Bradley (1974)*	*Estes v. Dallas NAACP (1980)*	*Bell v. Akron (1982)*	*Freeman v. Pitts (1991)*	*BOE of OKCPS v. Dowell (1991)*
Court Ordered Desegregation Decrees					X	X
Residential Segregation	X	X		X		X
School Segregation	X	X	X			X

Voluntary Desegregation Plans

In slight contrast, two very current desegregation cases allow for a look into the other side of forced segregation-voluntary desegregation. *Parents Involved in Community Schools v. Seattle School District No. 1* (2007) and *Meredith v. Jefferson County Board of Education* (2007) were heard together and struck down together by the U.S. Supreme Court in a five to four vote on June 29, 2007. *Parents Involved in Community Schools v. Seattle School District No. 1* (2007) occurred in Seattle, Washington and *Meredith v. Jefferson County Board of Education* (2007) occurred in Louisville, Kentucky and will be henceforth referred to as the *Seattle/Louisville* (2007) cases. Both cases present the same issue, whether a public school that had not previously operated segregated schools could choose to classify students based on race and use those racial classifications to make school assignments. (*Parents Involved in*

Community Schools v. Seattle School District No. 1 2007 and *Meredith v. Jefferson County Board of Education,* 2007, p. 908-915) These two cases are now known as the *Seattle/Louisville* (2007) cases. Each case was ultimately struck down because of its use of race in student assignment plans. Both plans used race as one factor in attempting to achieve a more racially balanced school district. However, this violates the Equal Protection Clause. These two cases are distinguishable from their conscious use of race as a determinant in school assignment plans to attain greater student diversity. Previous desegregation cases, such as *Freeman v. Pitts* (1991) or *BOE of OKCPS v. Dowell* (1963-1991) were court ordered to implement desegregation plans in order to pursue greater student diversity. The Seattle School District and the Jefferson County Board of Education of Louisville followed plans that considered ethnicity more heavily than any other factor. Both cases utilized a race conscious method. They used student race as a factor in assigning students to schools solely for the purposes of achieving greater racial balance with their schools.

Consequently, the court invalidated the race conscious method for increasing and attaining greater student diversity. However, no single reason or rationale was agreed upon by the court. One Justice, Justice Kennedy wrote, at length, a separate rationale for it to be clear that student race can be used in developing student diversity as long as it is not the sole factor used. (*Parents Involved in Community Schools v. Seattle School District No. 1* 2007 and *Meredith v. Jefferson County Board of Education,* 2007, p. 908-915) The plans developed by these school districts were too narrow and failed to utilize other factors in assigning students to schools.

Parents Involved in Community Schools v. Seattle School District No. 1. **(2007)**. A nonprofit group, Parents Involved in Community Schools, charged that certain considerations of race in student assignment plans put in place by the District to increase diversity were in violation of the Equal Protection Clause of the U.S. Constitution. Seattle Public Schools have shown a commitment to creating and maintaining desegregated and diverse schools. Seattle Public Schools has never been under court control for the desegregation of their schools. Seattle has made huge efforts to offer a diverse and equal educational experience. Before the beginning of the 1998–1999 school year, the District put into place an open choice plan, or the plan that allowed students entering the ninth grade to select from any of the district's 10 four-year high schools. Students were assigned according to their first choice. When too many students list a specific high school as their first choice, the district then employs a series of tiebreakers in the assignment process. The first tiebreaker considers other siblings attending the school. The second tiebreaker is utilized at the point when a high school is both chosen by too many students or, oversubscribed, and racially imbalanced. Then, race is applied as a single determining factor in the decision. Implemented in November 2000, this second tiebreaker is considered turned "off" whenever the ninth grade population falls within a 15% variance from the racial makeup of all students attending Seattle public schools (*Parents Involved in Community Schools v. Seattle School District No.1*, 2007, p. 701). At this point, a student's race is no longer considered in the assignment process. Furthermore, after the racial imbalance is corrected, replacing the "turned off" second tiebreaker, a third tiebreaker is implemented that considers students' proximity to the school of their choice. The last

tiebreaker, the fourth tiebreaker, consists of a lottery used to assign any remaining students to high school.

***Meredith v. Jefferson County Board of Education* (2007).** Jefferson County Public Schools (JCPS) upon release from court ordered desegregation planning in 2000 implemented a plan to increase student diversity in its schools. As an elementary school student assignment plan, students were grouped together into elementary school clusters depending on their specific location. Then, parents of kindergarteners, first graders and new students were given a choice of these cluster schools. If no choice was selected, the district assigned a school based on available space and the racial balance of the school together with consideration of a student's race. If a specific school reached a state of imbalance, a majority of one race, then the student is assigned elsewhere in order to better facilitate student integration (*Meredith v. Jefferson County Board of Education*, 2007, p. 513).

Meredith, a single mother of a 10-year-old son, sued Jefferson County Public School District when her son was denied admission into a school of their choice based on race. Meredith charged that the district had violated her son's Equal Protection Clause of the Fourteenth Amendment. Meredith claimed that the district's narrow consideration of race in assignment of student attendance as a way of attaining greater student diversity violated students' Fourteenth Amendment right to equal protection. The District Court held that the consideration of race in the student assignment plan of the district was unconstitutional because the district had the attainment of student diversity as the basis or goal of their plan. Jefferson County's consideration of race was

tailored specifically to the goal of student integration (*Meredith v. Jefferson County Board of Education*, 2007, p. 513).

Voluntary desegregation plans and their correlation to *Board of Education of Oklahoma City Public Schools v. Dowell* (1963-1991). *Parents Involved in Community Schools v. Seattle School District No.1*, (2007) and *Meredith v. Jefferson County Board of Education* (2007) are somewhat different from past district decisions made during the *Dowell* (1963-1991) litigation due to their voluntary use of race conscious measures to increase student diversity. More recently, some districts across the nation are voluntarily implementing school diversity policies of their own, to combat re-segregated schools and neighborhoods. Court findings began to show a handing of the issue of student diversity over to local control in the 1990's when OKCPS, like Jefferson County Public Schools were released from court control. Strategies on how to handle student integration fell in the hands of the local public school district. In 1991, elementary children in OKCPS, after release from court control, were sent back to their segregated schools from the surrounding segregated neighborhoods.

> After the *Dowell* (1991) and *Pitts* (1991) decisions, the road to re-segregation seemed to be wide open. By the mid-1990s, several large school systems had already moved to reinstitute segregated neighborhood schools, at least for the elementary school grades, by going into court to win unitary status. (Orfield & Eaton, 1996, p. 20-21)

The changing description of housing with its direct relationship to schools provided a clear intellectual reason for a sweeping reversal of legal conceptions.

Both *Parents Involved in Community Schools v. Seattle School District No.1*, 2007 and *Meredith v. Jefferson County Board of Education* (2007) involved the use of race conscious measures to increase diversity. As urban cities and neighborhood patterns somewhat change, the restructuring of attendance lines may help in the process of effecting student integration. Revisiting school attendance zones may prove to become an effective component of any current desegregation plan.

Desegregation Plans

Today inequality in public education persists across many metropolitan areas (Akibe, LeTendre, and Scribner, 2007; Ladson-Billings, 2006; Schrag, 2003 as stated in Orr & Rogers, 2011, p. 1). Inequality in schools still exists and remain a challenge for the nation (Darling-Hammond, 2007; Oakes, 2005 as stated in Orr & Rogers, 2011, p.1). Through intentional efforts, strategies such as busing, voluntary school assignment, and other critical measures some progress has been made to desegregate schools. Currently, contemporary integration plans include strategies that are either race conscious or race neutral. These desegregation plans, now referred to as student assignment plans, should look to past court decisions for guidance. The student assignment plans should differ based on student age, parent's needs, and the school's role (Tefera, Frankenberg, Siegel-Hawley, & Chirichigno, 2011). The Seattle and Louisville districts voluntarily adopted modest measures to achieve racial diversity in their schools. They sought to preserve educational choice for parents and students and considered race as a factor in student assignment only when schools were racially isolated. Both districts' student assignment plans relied on the choices of students and parents to attend or transfer to integrated schools or to attend their neighborhood

schools. In both districts, the plans provided that the percentage of Caucasian/non-Caucasian (Seattle) or African American/other (Louisville) students attending each school should roughly reflect the proportions of those students in the entire district as a whole (Tefera et al., 2011). Justice Kennedy's opinion, along with four other justices, explicitly recognized that school districts have a compelling interest in promoting diversity and in avoiding racial isolation in schools. "This opinion left the window open for school districts to continue to utilize race-conscious measures to achieve these interests, as long as individual students are not classified solely by race" (Tefera et al., 2011, p. 12).

Exemplars of how districts are aggressively pursuing diversity in their schools exist nationwide. These districts have chosen to make greater student integration a reality and pursue it effectively. Presently, districts have implemented several methods to pursue integration. The methods employed have been categorized into two separate types. Race-conscious policies assign students to schools based on race. These types of policies are directed at promoting racial equality by clearly targeting minority students to attend majority Caucasian schools. The minority student brings diversity to their school. This plan allows for the promotion of racial integration by embracing diverse students instead of ignoring them.

Race-neutral assignment policies do not focus on or single out any racial or ethnic group for preferential treatment; race is neutral. Two real district school examples will be discussed next, one succeeding with integration of schools through a race conscious integration policy and the other promoting interpretation through a race-neutral student assignment policy.

Race-conscious policy. The City of Berkeley, California, home to the University of California is known as a wealthy community. It is a multiracial, suburban community in the San Francisco Bay area. However, the district houses a hefty amount of low-income African American and Latino residents. Thus, the district is both economically and racially segregated. (Tefera et al., 2011) Their voluntary desegregation plan applies to their 11 elementary schools and one large high school in Berkeley Unified School District. Their managed choice plan allows families to submit school choices and the district considers their preferences and other factors (e.g. diversity of schools) in making final assignments. The district is divided into three zones that divide the enrollment and school capacity roughly into thirds. It utilizes race in combination with socio-economic factors to assign students to schools.

Families receive priority when they select schools in their particular zone. Berkeley then divides the district into "planning areas," four to eight blocks each. The zones are assigned a diversity code according to the makeup of the community within the planning area. Educational attainment, household income, and percentage of minority students are all thoroughly considered. In addition, Berkeley Unified has strived to make all schools attractive while promoting equity.

Berkeley Unified's plan has proven to be successful. Students are more evenly distributed along ethnic or racial lines than economically. Most families are receiving their first choice, which has proven to help diversify the schools further. Berkeley's plan is a model for other districts, like OKCPS, that seek to aspire to school integration using a race-conscious method.

Race neutral policy. Rock Hill Public Schools in North Carolina operate under a race-neutral policy. In 2007–2008, the district was comprised of 54% White, Non-Hispanic, 36% African American, 6% Hispanic, and 2% Asian/Pacific Islander. (Tefera et al., 2011) Rock Hill, like OKC, is largely segregated by race. Each side of town can be easily identified by its established race, whether White and Latino or African American. A successful student assignment plan is vital to ensuing racial diversity in its schools.

Due to a steadily growing population, a new high school was needed. Many affluent Caucasian residents wished for the school to be built on the north side of Rock Hill. To their shock and dismay, the board decided to build the new high school on the south side, a predominantly African American side of town. A 35-member committee was formed to develop plans for the new high school and for the District student assignment plan. After numerous months of deliberation, the 35-member committee assigned affluent neighborhoods to schools on the south side of town. The intense goal of Rock Hill's plan was to provide "meaningful diversity." Racial isolation was avoided by the use of satellite zones. By 2006, the Caucasian and African-American students were almost equal in number. Because of the construction of the new high school on the south side of Rock Hill, the percentage of Caucasian student is higher than on the north side. Rock Hills' new high school assignment plan is a prime example of how districts can transform segregated attendance patterns.

These two districts have demonstrated that diversity can be achieved through fair and equitable practices. They have illustrated that through careful planning and deliberation, racial integration is attainable. Whether it is a race-conscious policy or a

race-neutral policy, the important term is race. These districts hold race and diversity in high regard. They treat these aspects of school life as a very significant component of a schools' learning environment. As these districts understand, research also affirms that the academic, social, and psychological benefits of integrated schools are an asset not only to students and to the communities they live in, but to the progress of this nation as well. Integrated schools produce a more engaged and culturally aware citizenry, a stronger workforce, and provide students with important skills for understanding diverse communities, a growing asset in today's multicultural and interdependent global economy (Tefera et al., 2011).

As school districts integrate diversity policies such as these, criteria should be developed to measure when and if desegregation of a school has been fully achieved. Similar to the OKCPS, the little Rock School District in Arkansas had reached unitary status and was declared no longer in violation of the Constitution. Although, the question remained whether 70% African American and 30% Caucasian is considered desegregated. With OKCPS's, 2010 student minority population at 71% (i.e., African American, 32%, Hispanic 41%, and its Caucasian population at 21% (Oklahoma City Public Schools District Statistical Manual, 2010) the applicable question remains true for Oklahoma City as well. When districts specifically outline student assignment plans, these types of questions should be answered with certainty. Now, released from court-ordered desegregation and therefore being declared unitary in status, North Little Rock will be under close watch for their efforts in achieving and maintaining racial balance.

School zoning. The creative manipulation of school zones suggests another way to utilize race conscious measures to desegregate schools and pursue greater student

diversity. Zoning is one of the tools used by large school districts. School zones are geographic areas that correspond to specific schools from the surrounding neighborhoods. Sometimes, districts design zones that are within separate areas of town intentionally to draw students from different parts of the district. For example, Wake County, North Carolina calls a set of neighborhood blocks, units (Tefera et al., 2011). These units are actually planning areas used to assign students to schools in a diversified manner.

Finally, considering geography in the "siting" of new schools or even in the closing of older schools is an important way in which a district can make decisions that are informed through the geographical distribution of students. There are historical reasons why districts should be required to prove that the proposed construction of new schools would not further school segregation. Today, it continues to make both educational and financial sense to consider in advance whether a new school should be located in an area that would naturally integrate the school, rather than in a location that would employ extensive busing or other diversity strategies to create a racially and economically diverse student body (Tefera et al., 2011).

Chapter Summary

Race continues to be America's greatest dilemma and education remains the best escape from the effects of segregation (Tyson, 2011). This chapter provided a review of the current legal literature surrounding the issues of school segregation and student diversity as major issues for understanding the background of this study. This study utilized *Dowell* (1991) as the guiding legal framework in analyzing whether diversity played a central role when John Marshall High School was relocated from one

culturally significant area to another culturally significant area. This chapter examined the first school desegregation lawsuit, *Brown v. Board of Education* (1954) followed by the legislative history of *Dowell v. Board of Education of Oklahoma City Public Schools* (1963-1991). Next, an examination of the guiding legal framework followed. Residential segregation as a major contributor of school segregation was discussed along with barriers to housing integration. *Board of Education of Oklahoma City Public Schools v. Dowell* (1991) and John Marshall High School were discussed for their connection and relevance to each other. An examination of related school segregation cases was described in this chapter. In contrast to these involuntary school desegregation cases, two voluntary school desegregation plans were outlined proceeded by a section correlating these plans to *Dowell* (1963-1991). Finally, two types of new desegregation plans were outlined for their use in today's schools. In conclusion, desegregation plans were analyzed with school zoning as an effective component.

CHAPTER 3

Research Methodology

This chapter defines and describes the research questions of the study, explains the rationale for the study, and provides background information for both John Marshall High School (JMHS) and the participants involved in the study. Additionally, this chapter includes a detailed explanation of the research methods used in the data collection process and analysis. This chapter is an outline of each step purposefully taken to uncover answers relative to the research questions and objectives of the study.

Logic and Rationale of the Study

Exhibiting qualitative research through a case study method, this study sets its focus on the relocation of John Marshall High school. Qualitative research has clear roots in philosophical traditions, notably phenomenology (i.e., questioning the structure and essence of lived experiences) and hermeneutics (i.e., questioning the conditions that shape interpretations of human acts or products) (Rossman & Rallis, 2011). The logic and rationale of this study is illustrated through the complex and lived experiences of the study's participants. Their unique contributions bring a heightened sense of awareness and understanding when observed through the legal framework of school segregation within the Oklahoma City Public Schools.

Qualitative inquiry is a complex method based on the processes, meanings, and understandings of constructs in the world. It allows the researcher to be the primary instrument of data collection and analysis (Merriam, 2009). Rather than imposing a rigid, inflexible framework on the social world, qualitative researchers do not generate formal hypotheses to be tested. Instead, their goal lies in the ability to capture the

experiences and interactions of the participants within the world around them. To create themes about the relocation of JMHS, I carefully analyzed various experiences and interactions. As the issue of student race is a sensitive but serious issue, experiences carried along emotional ties to physical decisions made by OKCPS. Themes were created and used to explain phenomenon (Maxwell, 2005). These themes aided in the creation of grouping occurrences. Themes are helpful in that they aid in the expansion of understanding of specific phenomenon. Grouping occurrences, as in the ones used in this study, aid in the understanding varying phenomena gathered from multiple sources (Daponte, 2008). They assist in thoroughly exploring relationships between different forms of data.

Guided by *BOE of OKCPS v. Dowell (1991),* this study seeks to examine an education equity issue through a legal lens with race as a leading factor. It utilizes the final *Dowell* (1991) decision when OKCPS was released from court ordered desegregation planning to conceptualize the reason(s) behind the relocation of JMHS, some 15 years later. JMHS represents only one OKCPS school out of 90 public schools in the District. Its relocation from one area to another occurred more than six years ago. The relocated JMHS opened its doors at the beginning of the 2006–2007 school year to date of this study's investigation. As a result, only a small number of people who were involved in this situation at this particular time were readily accessible to participate as key individuals to discuss the relocation of JMHS and the history of OKCPS. Persons had to be very familiar and closely involved with the decision to relocate JMHS. Since this event occurred some years ago, individuals had to recall sensitive information in depth. These key individuals had a great impact in helping to bring better understanding

to the emergent themes of the study. “Qualitative research is pragmatic, interpretive, and grounded in the lived experiences of people” (Rossman & Rallis, 2011, p. 2).

The purpose of this qualitative research study was to determine the effects, based on the past findings in *Board of Education (BOE) of Oklahoma City Public Schools (OKCPS) v. Dowell* (1991), and its link to understanding the circumstances in the relocation of JMHS from a largely minority-based community to a largely majority-based community. The qualitative data was collected through planned and structured interviews employing semi-structured questions to gain information about the knowledge and experiences of the participants involved in the case.

Description of Method/ Justification of Selected Qualitative Research Design

The case study method was used to analyze the phenomena involved in this bounded situation. Case studies become particularly useful when one needs to understand some special people, particular problem, or unique situation in great depth, and where one can identify cases rich in information—rich in the sense that a great deal can be learned from a few examples of the phenomenon in question (Patton, 1990). Additionally, this study sought to investigate whether a connection exists between the last *Dowell* (1991) appeal, when OKCPS was released from court-ordered desegregation planning and the later relocation of JMHS. Case study, due to its ability to analyze a bounded social phenomenon, was the most appropriate method to investigate the research questions and focus of this study. The case study method is the method of choice when the phenomenon under study is not readily distinguishable from its context (Yin, 2003).

By employing a case study method, the researcher is able to focus on a single issue and select qualitative research tools to illustrate and explore this issue in a meaningful way (Creswell, 2007).This type of qualitative study design fits perfectly with the purpose/focus of this research study. The issue of student integration emerged when one specific OKCPS high school was relocated and students were displaced.

A descriptive case study presents a complete description of a phenomenon within its context (Yin, 2003). Seeking to analyze deeply the relocation of JMHS through the legal lens of the concluding *Dowell* (1991) case, the social issue of student diversity became more apparent due to JMHS's ever decreasing African American student population coupled with an increase in the Caucasian student population. As the subject of race is oftentimes delicate, the case study method was selected because of the ability to capture the understanding of a sensitive subject while bounded within the context of the JMHS relocation circumstance. The case study method allowed the researcher to study the specific instance of JMHS relocation from the varied experiences of the participants who experienced this specific, controversial, and unique event.

A case study approach became even more apparent when it was realized that in-depth, close up, detailed information pertaining to the OKCPS and relocation of JMHS was needed. "A case study is a good approach when the inquirer has clearly identifiable cases with boundaries and seeks to provide an in-depth understanding of the cases or a comparison of several cases" (Creswell, 2007, p.152). A qualitative case study provides an in depth study of a system based on a diverse array of data collection materials and the researcher situates this system or issue within its larger context or setting (Creswell,

2007). Effective qualitative case study research begins with adequately understanding the social phenomenon under investigation. Thus, this study began with a focus on OKCPS's attention to race, as an important factor, when JMHS was relocated and students were displaced in lieu of its earlier release from court ordered desegregation planning.

In a qualitative study, the activities of collecting and analyzing data, developing and modifying theory, elaborating or refocusing the research questions, and identifying and addressing the validity threats are all going on simultaneously, each influencing all of the others. This process is not adequately represented using a linear model, even one that allows multiple cycles, because in qualitative research there is not an unvarying order in which the different tasks or components must be arranged (Maxwell, 2005).

The design utilized in this study had to possess the ability to capture rich true depictions of real experiences. It had to have the ability to derive truths and contextual meanings from a variety of sources. A good research design, one in which components work harmoniously and seemingly together, promotes both efficient and successful understanding of the themes and outcomes of the study (Maxwell, 2006). Case study proved to be the method appropriately able to accommodate the needs of the study and allow the research questions to be thoroughly explored and potentially answered.

Researchers must undergo a thorough and complete data analysis process. They must create a sense of belonging to the social problem. Consequently, in lieu of the sensitive nature or political construct of race as a social phenomenon, the case study method allowed the data analysis process to be rigorous, disciplined, and significant (Maxwell, 2005). The qualitative design along with the characteristics of a case study

method worked harmoniously to retrieve data crucial to obtaining the study's rich necessary information to address and answer the research questions.

Focus of study. In *Dowell vs. BOE of OKCPS* (1963), realtors, education administrators, and city planners were charged with not allowing African American families' residence into certain areas of the city due to their race thus forcing students into segregated schools they had to attend. In conjunction with OKCPS, city realtors forced African Americans to reside in segregated areas due to mandatory segregated student attendance rules. Mr. Dowell challenged the practice of assigning students to certain schools based on color and not allowing residence in certain areas of the city based on the racial composition of the nearby community school.

School integration and racial isolation are social problems that continue to pervade the American public school system today. School re-segregation caused by residential segregation has long been attributed to personal choice. This aspect of OKCPS is not being analyzed or discussed in this research study. The overall focus of this study is whether intentional or not, the OKCPS unknowingly relocated a high school, JMHS, and redrew its attendance boundaries in an effort to decrease one certain race and increase another. The study analyzes the decisions made for the relocation of JMHS and the effects surrounding that decision. Three research questions were investigated:

1. Is the current re-segregation of the OKCPS an unintended consequence or gradual result of the district being released from court-ordered desegregation planning in *BOE of OKCPS v. Dowell* (1991)?

2. What types or kinds of desegregation data were used to identify a good geographic location for the placement of JMHS to ensure adequate integration?
3. How can OKCPS ensure that all students enjoy a diversified, quality education in the future?

Site and Sample Selection

OKCPS is the largest school district in the state of Oklahoma. Transitions and transfers are quite common from year to year. For this research study to be carried out thoroughly and accurately, careful selection of participants was crucial. Ideally, those individuals closest to the situation at the time provided more personal and in-depth experiences. Consequently, purposeful sampling of participants proved to be the best type of sampling design strategy for this case study. Participants were selected for their expertise and closeness to the unique phenomenon of the relocation of JMHS. Purposeful sampling allowed the participants an opportunity to share lived experiences rich in emotion. The process of narrowing down individuals to only those who were closest to the situation at the time of JMHS relocation was a long process. It took a great deal of time to locate and personally contact these key individuals. Past school records, newspaper articles, and other individuals assisted in this long process. With the relocation of JMHS and the release of OKCPS from court ordered desegregation planning occurring in the past, recollection of events from participants was important. It was not just important to retrieve facts about the connection between these two situations but to recall the emotions surrounding the issue as well. After many discussions with OKCPS board members, patrons, current employees of JMHS, and

community members, seven (7) essential individuals emerged as key informants close to the situation when JMHS was relocated. The names of these participants were echoed among the voices of the masses as people who could illuminate what was going on at the time of the JMHS relocation. The snowball technique, wherein individuals give the names of other study related individuals, was used. After these individuals were discovered to be closely involved to the relocation of JMHS at the time, they were then deemed as a significant resource to understanding the issues of this study.

The seven individuals were contacted by phone and asked to participate in this research study pertaining to understanding the issues of a connection of *BOE of OKCPS v. Dowell* (1991) and the JMHS relocation. A telephone script[1] allowed the information given to recruit each participant, to be a part of this study, to be uniform and standardized. Five (5) of the seven (7) individuals responded to the phone messages. Two individuals, despite repeated e-mails and phone calls, were unable to be reached. Subsequently, interviews were arranged with five (5) individuals.

School location and background. OKCPS is a large urban district seated in the heart of Oklahoma City. It serves approximately 43,000 students. It is comprised of 54 neighborhood elementary schools, seven middle schools and 10 high schools, four special centers, and 13 charter schools. Its student population as of the 2010-2011 school year was 44.5% Hispanic, 27.4% African American, 19.1% Caucasian, 4.8% Native American, and 2.4% Asian. It stretches geographically into the communities and

[1] See Appendix B for Telephone Recruitment Script

neighborhoods of Nicoma Park, Spencer, Nichols Hills, Midwest City, Del City, Valley Brook, and The Village.

Once situated on the edge of the Northwest part of town, JMHS was built as the high school for the neighborhoods known as The Village, among other smaller neighborhoods. Their neighborhoods, being largely African American, proudly supported JMHS for many years. As a neighborhood school, centrally located, JMHS boasted both parent and community support.

As time went by and months turned into years, the once beautiful campus began to deteriorate. Facing problems of asbestos, leaky roofs and other old yet serious building issues, the need became apparent to OKCPS that something had to be done. After much deliberation and the passing of a school bond, the OKCPS attained the funding needed to build a new high school. The JMHS community was elated. They were elated that JMHS's future would continue for many more years with the completion of a brand new, state of the art high school building. This happiness soon turned sour when community members learned of the new location. This new location was to be approximately four to eight miles from the current location. However, the surrounding community was to be both economically and racially different from what it had formerly been. Located in an area where African American and Hispanic populations are the majority, the school now sat in a community where those populations were the minority. Greatly bothering community members, students and parents, they voiced their dissenting opinions to OKCPS leaders to no avail. JMHS was to leave behind its former location and transition to a new home in a newer, economically significant community.

Study Population

The participants in this study were chosen for their direct involvement in the relocation of JMHS. Each carefully chosen participant was asked to sign an Informed Consent Letter[2] before taking part in the study. Participation was voluntary. The participant did not receive any type of remuneration, but was promised a copy of the full study upon its completion. Pseudonyms are used in place of actual participant names.

Description of Core Participants

This section is an introduction to the participants and description of their story in relation to their personal experiences with the relocation of JMHS. These core informants were personally and instrumentally involved with the relocation of JMHS. They had upfront, important information central to understanding the decision that was so controversial to many Oklahoma City residents. Their "front line" knowledge was sought for its inexplicable and upright honesty. Their conscientious, forthright conversations provided in depth wisdom, beyond what statistical documents or data could adequately illustrate. As expert witnesses, their struggles and conflicts within the situation provided an invaluable, privileged glimpse into the world of the relocation of JMHS. Attesting to the inner and outer organization struggles, their empirical exposure to the constructs of this research study deems them invaluable experts to answering the research questions of this study.

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[2] See Appendix C for Informed Consent Form

Five (5) participants were interviewed for this study. These five individuals were purposefully chosen specifically for their knowledge and/or expertise about the relocation of JMHS. During and throughout the relocation of JMHS, these individuals were instrumental in the relocation process of JMHS. Participants were involved in the capacity of board member, teacher, or community leader during the 2011–2012 school year. Each of the five participants was personally contacted and informed of the research study goals and intent. For anonymity, pseudonyms are used in place of the participant names. The pseudonyms are:

- Participant 1-Jeffrey
- Participant 2- Taylor
- Participant 3-Steve
- Participant 4-Joel
- Participant 5-Larry

Table 3 below introduces the five participants by name. The table also identifies their gender, specifies pre- and/or post-involvement in the relocation of JMHS, and states the role through which they assisted in the relocation of JMHS.

Table 3

Participants and their Involvement/Role in JMHS Relocation

Participant	Gender	Pre and/or Post Involvement in JMHS Relocation	Role during JMHS Relocation
Participant 1, Jeffrey	Male	Pre- Involvement	Former OKCPS Board Member
Participant 2, Taylor	Female	Both Pre and Post-Involvement	Current JMHS Teacher
Participant 3, Steve	Male	Both Pre and Post-Involvement	Community Leader
Participant 4, Joel	Male	Pre-Involvement	Past Educator, Business Patron to OKCPS, Former OKCPS Board Member, and Community Leader
Participant 5, Larry	Male	Pre-Involvement	Business Patron, Former OKCPS Board Member, and Community Member

Participant 1, Jeffrey. Jeffrey was singlehandedly instrumental in the relocation of JMHS. As a board member of the OKCPS during the 2006-2007 school year, the board appointed Jeffrey to identify a physical location for the new JMHS. Early in his tenure as an OKCPS Board Member, Jeffrey rallied for the approval of the highly anticipated MAPS (Metropolitan Area Projects) for kids bond. The successful passage of MAPS would mean millions of dollars allocated to the OKCPS. The MAPS for Kids bond

would mean specific funds allocated for upgrading OKCPS schools, providing updated technology to schools, and for the purchase or replacement of buses.

Proposed by the OKCPS Board of Education at 94 million dollars, the MAPS for kids bond passed at 700 million dollars according to the MAPS page on the City of Oklahoma City website (www.okc.gov/ocmaps/index.html). Included in the proposal were funds allocated for school buildings and grounds, school equipment and transportation. Ultimately, $470 million dollars were utilized for new school building construction costs, with the last of these projects to be completed in 2013 (www.okc.gov/ocmaps/index.html).

Throughout the bond's seven-year span, the construction of many new schools was completed. Among the schools, JMHS was identified as a school in poor condition and in need of a new building. Originally built in 1948, asbestos and other failing conditions plagued the building and its inhabitants. Jeffrey was given the task of locating a space in Oklahoma City (OKC) for construction of the new school site.

Participant 2, Taylor. Taylor's insight into the study is very important due to her extensive affiliation with JMHS. As a JMHS graduate, Taylor has also educated JMHS students during all of her 10+ years as a JMHS teacher. Taylor has never taught at any another school. She experienced the JMHS site transition from the old location to the new location. She has been an active, loyal staff member for many years and as current as 2012 continues to teach at the new location. As a JMHS teacher, JMHS graduate, and member of the surrounding community, Taylor has personally experienced the internal and external school conflicts encountered by the relocation of JMHS to its current site.

Participant 3, Steve. Fulfilling his job as a public official and community member of OKC, Steve's involvement in the relocation of JMHS was both as a member of the surrounding community and as a high-ranking public official. Steve's knowledge about JMHS comes from a combination of feedback from the community and from the political realm of both OKC and OKCPS. Daily, Steve fights for equality and justice for the students in his district. He represents students from many Oklahoma districts, the largest being the OKCPS. His political stance remains that public officials must strive to ensure fair schools and quality education in those schools. Steve noted, "Good schools, after all, are good for business, the economy, and most importantly, the city". As a city official, Steve holds JMHS in high regard.

Participant 4, Joel. As a past OKC Board Member and current active community leader, Joel served on the OKC Board at the time of the decision was made to relocate JMHS. As a highly visible community leader within a large minority group in OKC, Joel provides insights about the Hispanic student population of both OKCPS and JMHS. His views about the relocation of JMHS represent the largest student population in OKCPS, the Hispanic student population. He does and has always fought for equal treatment of students regardless of any factor such as race or economic status. He represents a community of Hispanic people who could be considered the last, the lost, and the left out—the poorer, minority students of OKCPS. No other participant experienced the relocation of JMHS like Joel. As board member and community leader of the OKC Hispanic population, Joel felt like the increasing Hispanic population of OKC was overlooked in the decision to relocate JMHS.

Participant 5, Larry. Past OKCPS Board Member during school year 2006-2007, current business owner, and OKCPS supporter, Larry brought valuable insight to the research study, discussing the administrative conversations around the decision to relocate JMHS. As a father of two former OKCPS graduates, Larry has personal interest in seeing the circumstances and issues around the JMHS relocation investigated. Important to understanding this study, Larry provided in-depth knowledge about the inner discussions and politics of OKC in conjunction with OKCPS. As a business owner, he is able to analyze decisions in lieu of best business practices or those best for optimal student achievement. His dedication to the success of OKCPS was expressed throughout the interview with him. Although, not a current OKCPS Board Member, he looks forward to running again someday and is committed to helping the students of OKCPS succeed in attaining a high quality education.

Description of Study Data/Data Collection

The following sections will identify and describe the specific data collected for this research study. In an effort to strengthen the credibility of the study, multiple sources of data were used. These multiple sources included OKCPS and Oklahoma City (OKC) historical documents, demographic data, participant interviews, and personal introspection. The data were reviewed to assess the percentages of African American and Caucasian students attending JMHS and other surrounding schools before relocation compared to those percentages post relocation. The historical documents served as a tool in education of the issue at the time it occurred as well as consequences in relation to data that the relocation of JMHS un-intently caused. As a second source, the participant interviews confirmed/disconfirmed certain themes and issues illuminated

through the data. Lastly, personal introspection was used as a means to confirm/disconfirm themes and issues from the documents and interview data.

OKCPS and OKC historical documents. Document analysis included analyzing OKCPS and OKC historical documents. A very important aspect of investigating this research study came through the collection and analysis of historical documents. Archived OKCPS records and *The Daily Oklahoman* newspaper were reviewed and analyzed for issues portraying OKCPS (in the *Dowell* (1963-1991)) cases and in the relocation of JMHS through the years. These documents were gathered from the Oklahoma State Department of Education and the Oklahoma City, Oklahoma newspaper, *The Daily Oklahoman*. Analysis of these documents provided insight into the past and current racial student makeup of OKCPS and surrounding suburban schools, student achievement data of segregated versus more integrated schools, and past and current OKC residential segregation trends.

Due to the legal aspects of the study, court briefs and similar cases were consulted and carefully analyzed for their importance in adequately representing school segregation in OKCPS. Legislation and court documents were consulted for their assistance in representing how the issue of school diversity and segregation has been historically solved by school districts. Essential to conceptualizing the significance of the relocation of JMHS is an understanding of *Dowell v. BOE of OKCPS* (1963) and similar cases. Their understanding is vital to explaining the reasons behind the relocation of JMHS. Statistical data pertaining to OKCPS student population, OKCPS student achievement, and student attendance documents from the OKCPS Planning, Research, and Evaluation Department and the OKCPS district website, as well as

information from the Oklahoma Department of Education about past and current student demographics were used as well. More specifically, historical documents and numerical reports were obtained from the following sources related to OKCPS and the relocation of JMHS:

- OKCPS Statistical Manual
- OKCPS District Report Card
- Oklahoma State Department of Education Statistical Profile for OKCPS
- Oklahoma State Department of Education Report Cards for Oklahoma Schools
- University of Oklahoma Law Library (legal documents)
- State of Oklahoma Law Library (archived cases)
- *Dowell v. BOE of OKCPS* (1963) (case briefs) and related literature
- *The Daily Oklahoman* (newspaper)
- Planning and Research Department of OKCPS (archived data)
- The City of OKC (related data)
- JMHS relocation information

The review of these documents aided in understanding important issues surrounding the investigation of this study's research questions. Specifically, these documents served to:

- Understand the issue of school integration in a public school setting,
- Assist in analyzing the importance of legal precedence and case decisions around segregation cases in OKCPS and in the United States,

- Interpret OKC neighborhood demographic data and how it correlates to school population data, and
- Represent community perceptions of both OKCPS and JMHS.

Documents were important for understanding the issues of school integration surrounding the relocation of JMHS. Analyzing the documents helped in making conjectures between the releases of OKCPS from court ordered desegregation planning and the relocation of JMHS. Table 4 lists the specific documents used and assigns them a score according to their importance to this research study and to answering the study's research questions. The table lists the document first then the numerical rating in relation to understanding the issues being investigated in this study. The numerical rating of 1 denotes most important, 2 denotes somewhat important, and 3 not important.

Table 4

Study Documents and their Importance to the Study

Document Name	Level of Importance to Understanding Issues Surrounding the Study
Case Briefs	1
Legal Documents	1
OKCPS Planning and Research Department Documents	1
OKCPS Statistical Manual	1
Oklahoma Statistical Profile	1
Participant Interview Data	1
Related Literature	1
Archived Case Data	2
The City of Oklahoma City Neighborhood Statistical Documents	2
The Daily Oklahoman Newspaper	2
OKCPS Report Card	3

1= Most Important, 2= Somewhat Important, 3=Not Important

Demographic data. School demographic data were retrieved from the OKCPS Statistical Profile document for the years 2006-2007 and 2009-2010. The Planning, Research, and Evaluation Department of OKCPS statistically outline student population by ethnicity data, achievement scores, percentages of low performing students, etc. within this annual document. The OKCPS Statistical Profile provided ethnic student population percentages of JMHS pre- and post-relocation. The document also provided ethnic student population data on other racially isolated schools in the OKCPS.

Interviews. At the very heart of what it means to be human is the ability of people to symbolize meaning through communication. People unlike documents or physical data are able to make sense of their world through language (Seidman, 2006). After analysis and acknowledgement of the advantages gained from interviewing, conjoined with the sensitive nature of the information needed from the research study questions, the decision to utilize an interview process was made. Every word of a person's story is a creation of their background and lived experiences (Vygostky, 1986). The participants' experiences brought concrete understanding to the abstract issues of the study such as educational and social issues (Seidman, 2006).

"If the researcher's goal…is to understand the meaning people involved in education make of their experience, then interviewing provides a necessary, if not always completely sufficient, avenue of inquiry" (Seidman, 2006, p. 11). Because of the sensitive nature and passing of years relative to the school relocation issue, only a small number of persons remained available and willing to be a part of this study. As an interview format proved best to capture true experiences from individuals closest to the relocation of JMHS, participant interviewing was deemed necessary for the study. The choice of a semi-structured interview format allowed for participants to be subtly guided into openly sharing their experiences.

The interview questions were carefully designed to assist in gathering data to understand the issues surrounding the JMHS relocation. Interview questions were submitted to The University of Oklahoma Institutional Review Board for approval. The University of Oklahoma Institutional Review Board approved the interview questions. Next, I began to think about and note names of potential participants known to be

important leaders and stakeholders in the arena of OKCPS education. Next, contact information for these individuals was gathered.

Outlining and creating a working telephone script, allowed me the structure to secure my first interview confidently. The individuals were then personally contacted for their willingness to participate in the research study. After their willingness to participate was obtained, a face-to-face interview was scheduled. Near the completion of the first interview, Participant one, Jeffrey, provided specific names of others involved and close to the focus of the research study. After using a telephone script to secure the first interview successfully, I used the same telephone script to attain four additional interviews and thus five participants were included in this study.

Five (5) interviews were held. The participants consisted of three former OKCPS board members, one current JMHS teacher, and one crucial city/community leader knowledgeable about the focus of the study. Their experiences and insight into the issue kept the study alive. Their pertinent experiences and emotions could not have been truly captured through quantitative data or personal observation alone. The specific and deeply rooted feelings involved in this situation are not new. Emotions expressed by these essential individuals have been felt for several years. The participants expressed gratitude and appreciation for a study of this type.

Interviews were extremely helpful in gaining the true lived experiences of the participants. The semi-structured method of interviewing was chosen because of the allowance of participant freedom. Participants were asked to openly share their knowledge and experiences of the JMHS relocation without regard to a strict method of questioning. This freedom permitted for observation of the emotions behind the events

before, during, and after the relocation of JMHS. Due in part to the sensitive nature of the issue of equity/inequity and the social phenomenon of race, the semi-structured interviewing allowed the researcher to capture intensive feelings and extensive in depth information. The process of semi-structured interviews did not confine participants from commenting only on the exact questions but gave them an opportunity to share information about the JHMS issues, which perhaps was deeply rooted in their consciousness through their lived experiences. The data collected from the semi-structured interviews connected and weaved complexly together to address the research questions of the study (Saldana, 2009).

The interview process. The time management of the interview process was an important facet of the study. Due to the sensitive nature of race and the controversy surrounding JMHS's relocation, sufficient time had to be allocated in efforts of obtaining clear, adequate, and meaningful answers to the interview questions.

Upon meeting, participants were provided with a Description of Study Protocol[3]. The Description of Study Protocol specifically outlined the research design, recruitment procedures, data collection procedures, research questions and hypothesis of the study. This document was read to each participant and a copy was given to each individual as well.

To ensure strict confidentiality, each participant agreed to participate by signing an Informed Consent[4] form. At the beginning of each interview, each participant was

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[3] See Appendix A for The Description of Study Protocol

[4] See Appendix C for Informed Consent Form

read an informed consent form which they signed stating their willingness to participate in the research study. Participants were assured that their real names would be anonymous and pseudonyms would be used in place of their real names. Their current position or status within the OKCPS would also be kept anonymous.

The Informed Consent form corroborated the anonymity of the study participants and sought permission for audio recording/transcript creation of the interview. It set forth a checklist of guarantees, stating that the only people having access to their personal names and transcripts were the researcher and dissertation study chairperson. After signing the Informed Consent Form and after the participant was assured that all questions could be addressed at any time during the interview, the interview process proceeded.

Once the Introduction of Study was read, eight general, overarching and probing questions were asked. Participants were asked interview questions[5] pertaining to the issue of school segregation within the OKCPS and the relocation of JMHS. Participants were encouraged to elaborate on each question. Questions consisted of semi-structured open-ended questions. Remarkable and in-depth knowledge was gained from the participants' invaluable discussions and conversations.

The in-depth interviews each lasted for approximately one to one and one half hours each. The interview began first with general questions pertaining to the re-segregation of OKCPS since the release of OKCPS from court-ordered desegregation planning. Following these questions, were other questions asked specifically to gain

[5] See Appendix D for Participant Interview Questions

insight into and around the decision for the relocation of JMHS. Furthermore, conversational dialogue was established with each participant interview to assist in understanding the procedures OKCPS has in place to maintain diversity in its schools, especially when relocations occur.

During the entire interview process, notes were made concerning participant verbal expressions in relation to their intrapersonal reactions toward the subject. As I made notes and began searching for these key individuals, tentative ideas, hunches, and questions to ask became more apparent. I noted things and questions that would elicit a good comprehensive response.

As the first through fifth interviews were in process and completed, I noted information I wanted to clarify further. I compared the first participant interview with the second participant interview and then, finally, all five in comparison with each other. During the interview time with each participant, I took notes and asked the interview protocol questions sequentially, to bring forth clear and truthful answers. These interview patterns were observed from the field notes and through the body language/feelings of the participants during the interview process. Follow up interviews to confirm specific emergent themes and other contextual data were held with each of the participants by phone.

Personal introspection. Self-reflection was used as an extra and final lens in order to gain a clearer picture of the relocation of JMHS. The personal lens served as a means to confirm/disconfirm the emergent themes from the documents and interviews. The researcher's lived experiences and observations during the time of the relocation of JMHS were reviewed and considered against the other sources of data in order to

understand more holistically the depiction of events. As a former teacher within the OKCPS during the 2005-2006 school year, I remember the disappointment felt by the community of JMHS when JMHS was taken from a community that it had been a part of for many years. There was much disagreement and controversy surrounding the decision to relocate JMHS. As a member of the community at the time, I recall the conversations and dialogue with other community members and colleagues about this controversial decision. These conversations expressed resentment with the OKCPS for removing a school and placing it into a different community while displacing some students. Dialogue seemed to focus on the hurt felt by the removal of JMHS and the placement of it in a much different (culturally and economically) community several miles away from its previous location.

Summary of data collected/used in this study. Interviews were used as a means to confirm/disconfirm the information analyzed through OKCPS and OKC historical documents, school demographic data, and lastly confirmed through school demographic data. In relation to this study's research questions, participant interviews, personal introspection, OKCPS and OKC historical documents, and school demographic data yielded major findings. The data from these sources were reviewed with the researcher's personal introspection of the case. The data collected through these various means allowed themes to emerge, which then helped to answer the study's research questions.

Data Analysis Strategies

The analysis exists to develop a complete understanding of the data, and then coding those descriptions into themes. As a means of bringing meaning to the research

questions, data analysis is a complex, though, vital task. Through the preliminary analysis process, the researcher looks for information that helps to illuminate the data and explain in more depth the experiences of the study. The process of analyzing data in this study was carried out in multiple stages.

- School Demographic Data were consulted to illustrate the phenomenon of the relocation of JMHS.
- Data were then checked against historical information.
- Participant interviews were conducted to further inform both the phenomenon and focus of the study with individuals closely involved in the relocation of JMHS and familiarity with *BOE of OKCPS v. Dowell* (1991)
- During interviews, participants were subtly guided to discuss specific relationships between what was seen/reviewed by the researcher in the physical data, to the participants' knowledge of the circumstances.
- Through the analysis of participant interview transcripts and supported by the study documents, themes were observed and categorized according to specific grouping occurrences.
- Researcher's personal experiences and observations were used lastly as a means to further support the themes that emerged from the interviews and documents. While the study data began to unfold, analysis took place continuously.

Beginning with analysis of the study documents and interview transcriptions, data began to support findings or meanings described in the interviews. After obtaining the school statistical data from OKCPS, ideas began to be grouped around specific meanings and themes. The data began to illustrate the abstract constructs of the study,

relative themes, ideas, and thoughts. Patterns, themes, and ideas were noted and compared with the interview data and statistical data. After each interview, transcriptions were analyzed and categorized under various themes. Certain key meanings or themes began to emerge across the participants' data.

As discussed earlier, five (5) participants, some now serving in different capacities than when JMHS was relocated, had to have a first-person account and knowledge of the OKCPS's decision to relocate in order to participate. Each interview restated either one already mentioned concept or brought another idea /concept to the forefront about the JMHS relocation. This process, known as coding, allowed the researcher to look across interviews and documents to recognize similar or identical findings that lead to theories and concepts that explain the data (Merriam, 2009). As patterns began to form, responses to the research questions became clearer and clearer.

Moreover, after initial analysis of data, additional data such as attendance maps and school population data lent support to further understanding the circumstances in the study. The interview data were transcribed and typed into a categorized thematic analysis document. These emerging themes led to major outcomes in the study. The themes lend support to understanding the study's context and help answer the research questions for the final conclusive, interpretive phase of the study. Within the interpretive phase of the study, my own thoughts, speculations, and intuitions are described and used to build on the results of the study, which arose from the interviews and existing data (Merriam, 2009, p. 201).

Organizing Schema

Through the analysis of study documents and participants' responses to interview questions, specific themes emerged as significant to answering the research questions of the study. The participants' views were grouped together and placed into a thematic grid according to the occurrence of similarity, sequence, correspondence, and causation. These occurrences helped to clarify and create specific emergent themes. Participant quotes from this thematic grid were then utilized to support the seven (7) individual themes that emerged from this data analysis process. Some themes were not confirmed across the multiple sources of data. Only when a theme resonated as a salient theme across all forms of data, was a theme considered. Themes were only considered when a majority (three or more) of participants together with other statistical information and documentation was deduced as salient and clearly answered the research questions. Themes were developed in line with the four organizing schema of occurrences as noted by Saldana (2009), which are similarity, sequence, correspondence, and causation. As such, the themes in this study materialized according to the application and continuity of these occurrences: similarity, sequence, correspondence, and causation. Thus, themes will be discussed according to and around these four occurrences. As Saldana (2009) notes: The emergent themes may be grouped together not just because they are exactly alike, but because they may have something in common, - even when that commonality consists of certain differences. The study's research questions were explored through the unfolding of the following occurrences.

- similarity (things happened the same way across participant and OKCPS statistical data),

- sequence (they happen in a certain order according to participant and OKCPS statistical data),
- correspondence (they happen in relation to other activities or events according to participant and OKCPS statistical data),
- causation (one event appears to cause another event according to participant and OKCPS statistical data)

Similarity. Similarity occurred when events happened the same way across participant and study data (Saldana, 2009) .Themes were similar when they appeared to be caused by the same reason or characteristic. The themes of segregated neighborhoods and boundary lines appeared to share the occurrence of similarity. Segregated neighborhoods historically created in Oklahoma City have influenced the re-segregation observed in present day OKCPS. The student demographics within the boundary lines of a particular school greatly influence the racial makeup of the surrounding school.

Sequence. Sequence refers to the order events take place (Saldana, 2009). According to participant and study data, events happened in a certain order. The relocation of JMHS occurred in a certain order. Events such as the search for nearby land preceded the physical movement of JMHS to its new location. The re-segregation of OKCPS preceded OKCPS's release from court ordered segregation planning in 1991.

Correspondence. Correspondence refers to events and activities that happen in relation to other activities or events (Saldana, 2009). The opening of the Oklahoma Centennial Mid-High School coincided with the relocation of JMHS. The value of diversity is seen in the creation of specialty high schools within the district's high

schools. These high schools possess race neutral strategies; strategies that do not take race into account, in an effort to increase student diversity.

Causation. Causation refers to when one or a series of events appears to cause another event or series of events (Saldana, 2009). Several events in the process of the relocation of JMHS appeared to be caused by another event or series of events. Segregated neighborhoods, the creation of an elite school, and community meetings appeared to involve the pattern of causation, in that they were caused by a separate event or series of events. Table 5 is a portrayal of the grouping occurrences and their correlation in addressing the three specific research questions. The table specifies the specific occurrence(s) and to which research question they correspond.

Table 5

Grouping Occurrences According to Research Questions

Grouping Occurrence	**Research Question 1**	**Research Question 2**	**Research Question 3**
Similarity	**X**		
Sequence		X	
Correspondence			X
Causation	X	X	X

Validity and Reliability

Validity and reliability are concerns that can be approached through careful attention to the study's conceptualization (Merriam, 2009.) Validity refers to the degree to which the study accurately reflects or assesses the specific concept that the researcher is attempting to measure (Howell, Palmquist, Park, Sattler, Schack, and Widhalm 2005). Reliability is concerned with the correctness of the type of method chosen for the study. Information from personal introspection, OKCPS and OKC historical documents and school demographic data were consulted for background information during the participant interviews. Comparing and crosschecking these multiple sources of data allowed for greater reliability and validity in the study (Merriam, 2009). The seven themes of the study were supported across these multiple sources of data. Foremost, the validity of the study was strengthened and supported through triangulation of multiple sources of data that yielded similar key issues. Additionally, the researcher's personal introspection about the relocation of JMHS served as a means to assess the major findings that emerged from the interview data and documents. This process further served to enhance the validity of the study.

Triangulation is a process through which different sources of data are corroborated to provide accuracy (Krathwohl, 2009) of evidence. Through the process of document analysis along with the analysis of qualitative participant data, a level of integrity was achieved. Information from historical and school demographic data was checked against participant interviews. Additionally, when asked about other individuals knowledgeable about the relocation of JMHS, study participants consistently but unknowingly gave each other's names. Throughout and during the

interview process, it became clear that the interview questions aided in receiving responses that provided information needed to assist in answering the study's research questions. Triangulation of data was desired in order to strengthen both validity and the connection between *BOE of OKCPS v. Dowell* (1991) and the relocation of JMHS. The method of triangulation permitted the participants' rich information and lived accounts combined with the raw statistical data to paint a reliable picture. "…The key to triangulation is to see the same thing through different perspectives and thus be able to confirm or challenge the findings of one method with those of another" (Bell, 2005, p.116). Triangulation refers to the research principle of seeking at least three ways of corroborating information for a particular event, description, or fact.

Reliability refers to generalizations. Reliability would allow the study to be generalized to similar large, urban school districts in America. It refers to the degree in which the conclusions may or may not hold true for other similar institutions, people, and places. Lastly, it mandates that one's research study be relevant. It demands that, in a way, even an outsider to the research study understands or connects to the research.

Reliability, the extent to which the study yields consistent results (Ary, Jacobsen & Sorensen, 2010), remains limited partly due to the purposeful, small sample of participants chosen. Reliability became more apparent after each participant interview, document, and personal recall of the situation. After student minority percentages from the old JMHS were compared with the minority racial percentages after the relocation, the effect of the relocation of JMHS on student diversity at JMHS began to become clear. It became clear that the final case, *BOE of OKCPS v. Dowell* (1991), would be best to serve as the guiding legal framework of the study. In lieu of the many *Dowell*

(1963-1991) cases, this concentrated focus on *Dowell* (1991) also allowed a narrower, more specific focus to be gained, which may enhance reliability. The participants chosen were very close to the study's focus.

Follow up interviews. At the conclusion of the recorded voice to transcript process, participants were contacted to ensure that their true beliefs were accurately represented in their statements. This process greatly influenced the validity and reliability of the study findings. Follow up interviews were conducted to ensure accuracy and correct representation within the study pertaining to the participants' beliefs and statements.

Transferability/generalization. Outcomes materialized through this research study may or may not have implications for other school districts in similar situations. With recent and continual refluxes of other races and cultures in America, urban schools are grappling with ways to create and maintain diverse schools. With strapped budgets and increasing budget cuts, it will remain to be seen how districts will handle diversity in the 21st century. OKCPS is among many other school districts aspiring to advocate for diverse schools.

Trustworthiness. "Qualitative researchers are guests in the private spaces of the world. Their manners should be good and their code of ethics strict" (Merriam, 2009, p. 231). Because of the sensitive and political nature of the issue of race, the integrity of the study was a definite component of the interview process and the study as a whole. Participants were assured at length of their anonymity in the study. Transcripts along with other pertinent data were securely maintained at all times. The integrity of the study was additionally upheld through the specific procedures used in the study. The

degree to which the participants were willing to share experiences and knowledge served as a way to increase trustworthiness of the data. Observations and interviews were conducted until the information obtained appeared to become saturated. Merriam (2009) states,

> The best rule of thumb is that the data and emerging findings must feel saturated; that is, you begin to see or hear the same things repeatedly, and no new information surfaces as you collect more data. (p. 219)

Another common strategy for ensuring credibility is participant validation, soliciting feedback on emerging themes from the participants:

> This is the single most important way of ruling out the possibility of misinterpreting the meaning of what participants say and do and the perspective they have on what is going on, and as well as being an important way of identifying data [about] your own biases and misunderstanding of what you observed. (Maxwell, 2005, p. 111 as stated in Merriam, 2009, p. 217)

Participant validation ensured that statements made during the interview absolutely represented their true feelings, beliefs, and experiences. Participants were personally contacted to ensure accurate representation in this study.

Ethical considerations. Ethical considerations within this study were paramount. Due to the sensitive and difficult issue of race, multiple sources of data were sought to assist in understanding the circumstances of the JMHS relocation. Due to the sensitive information gathered from the participant interviews, the data analysis process became extremely important in order for outcomes to be represented accurately.

The very nature of segregation is a precarious issue in today's politically correct society. Feelings, data, and other concepts had to be carefully separated to effectively bring forth pertinent meanings. The subject of the relocation of JMHS brought back, for some participants, feelings of betrayal by OKCPS for relocating one of its best schools, JMHS.

> Replication of a qualitative study will not yield the same results, but this does not discredit the results of any particular study; there can be numerous interpretations of the same data. The more important question for qualitative research is whether the results are consistent with the data collected. (Merriam, 2009, p. 220)

Limitations of the Research Design

As with any small-scale research study, limitations do exist per this specific study. These limitations may be due to the sensitive nature of race surrounding the move to relocated JMHS, the participants involved or the research techniques used in the study. Nevertheless, within this study, certain limitations must be explained and understood. The number of available and willing essential individuals central to relating the information sought for this study was limited. This limitation was partly because of the time during which the relocation of JMHS occurred and the time in which this study was conducted. As a result, the study yielded only a handful of individuals to inform the study. Although, representing major stakeholders in OKCPS and JMHS at the time of relocation, these individuals were closest to the decisions made at the time.

Researcher Bias

As a native Oklahoman, I have grown up experiencing and observing events concerning the OKCPS. Later as an employee of the district, I was able to witness firsthand the changes that a large, urban district experiences. Thus, as an OKCPS employee at the time of the relocation JMHS, I was personally interested in the attention garnered by the situation.

Conversely, as a researcher, the ultimate goal is to be as unbiased as possible. In today's society, this is increasingly difficult to accomplish. However, my personal connection to the study focus requires disclosure. As an educator, an African American, and a former employee of the OKCPS, I must set aside all feelings of bias and remain as neutral as possible for the results to be both reliable and useful. The previous relationship with OKC and with the OKCPS proved to supplement information during the interview phase of the study. I, as researcher, understood the context that was being discussed within the interview settings. My previous experiences and knowledge of OKCPS also helped to comfort the participants during the interview process.

The flexibility of semi-structured interviewing proved to be most effective in establishing rapport with the participants and allowing them the ability to express themselves freely. I remained neutral as the participants answered the protocol questions. The researcher withheld any feelings, judgments, or corrections to the participants' information. Because of the sensitive nature of race, there was no show of gesture or emotional response. This show of neutrality allowed each participant to feel comfortable sharing all information pertinent to all interview questions. This increased the validity and integrity of the study.

Chapter Summary

This qualitative research study is an exploration of the connection between the *Dowell* (1991) decision and the relocation of JMHS. It is driven by a wish to understand the processes undertaken by a school district to accomplish racial diversity when a school is relocated or rebuilt in a different location. The purpose of this study is to gain a greater understanding of how OKCPS ensures adequate school integration in JMHS, and furthermore to understand the connection between the results of the concluding *Dowell* (1991) case in reference to present day OKCPS.

Chapter three began with the logic and rationale of the study followed by the description of method and justification of selected qualitative research design. The use of the case study method was discussed in the justification of selected qualitative research design. The focus of study section outlined some background information about OKCPS and JMHS and then explained the connection each has with school diversity. Site and sample selection described why the study's participants were specifically chosen to participate in the study. School location and background highlighted imperative information and the connection to the relocation of JMHS. Next, the data collection section laid out characteristics of the study's population. The participants involved in the study were then introduced and the techniques utilized in the study's interview process were then described. Composed of the interview process, personal introspection, OKCPS and OKC historical documents, and demographic data, delineates the section of data collection and description of study data. This section is followed by a summary of the data collected/used in the study. A sequential account of how data were analyzed in the study to appropriately uncover meanings and outcomes

was described in the data analysis strategies section. Next, the chapter explained the organizing schema of reviewing the data which consists of: similarity, sequence, correspondence, and causation.

Subsequently, the study's attention to validity and reliability section is composed of explanations of transferability/generalization, trustworthiness, and ethical considerations and addresses the efficacy of the study. Finally, acknowledgement to the study's limitations is explained within limitations of the research design and as discussed in the section about researcher bias. This chapter described the foundation for the portrayal and unfolding of the data analysis outcomes and findings to be presented in chapter four.

Chapter 4

Data Analysis Outcomes/Findings

Introduction

The primary purpose of this research study was to provide a descriptive picture of the events and main purposes surrounding the relocation of John Marshall High School (JMHS) from one lower socioeconomic, minority-based area to a higher socioeconomic Caucasian area. Seeking to uncover how the Oklahoma City Public Schools (OKCPS) handled student integration in the relocation of JMHS, the study analyzes the impact of student diversity when a school is relocated. The study specifically addresses the relocation of JMHS in connection with OKCPS's removal from court ordered desegregation planning in its concluding suit against Mr. Dowell in *Board of Education (BOE) of OKCPS v. Dowell* (1991). This controversial school relocation move displaced some current JMHS students assigning them to a nearby already highly segregated high school. This chapter discusses pertinent data of the study and illuminates the events surrounding the relocation of JMHS following the release of OKCPS from court ordered desegregation planning in 1991. This chapter portrays the experiences of the people, decisions, and motives behind the relocation of JMHS. The rich data presentation in this chapter assists in understanding the systemic processes of handling student diversity within OKCPS when a school is relocated. The research questions that guided the study are:

1. Is the current re-segregation of the OKCPS an unintended consequence or gradual result of the district being released from court-ordered desegregation planning in *BOE of OKCPS v. Dowell* (1991)?

2. What types or kinds of desegregation data were used to identify a good geographic location for the placement of JMHS to ensure adequate integration?

3. How can OKCPS ensure that all students enjoy a diversified, quality education in the future?

The voices of key participants are incorporated in this chapter to capture the meanings associated with decisions made to relocate JMHS. Themes and accompanying pertinent data are analyzed to bring forth outcomes and findings of the study.

Emergent Themes and Significant Findings

Following the analysis of all study data, reflection then began on how this data could connect and weave together to address the research questions. This process utilized specific grouping occurrences to notice patterns in the data. These occurrences were then used to represent certain, specific themes that emerged from this data analysis process. The following seven themes emerged as salient and major findings in the analysis of the data. The emergent themes spoke directly to the research questions. The themes are:

1. Segregated neighborhoods,
2. Boundary Lines,
3. JMHS Relocation,
4. Specialty Schools,
5. Importance of Diversity,
6. Elite School, and
7. Community Meetings

These seven themes served as a guiding analytical framework for answering the three research questions of this study.

Theme Summary

The seven themes of the study emerged from the multiple sources of data connected to the research questions of the study. Themes were confirmed/disconfirmed through an analysis of the multiple sources of data: documents, participant interviews, and the researcher's personal introspection. The seven themes matriculated and were supported by the multiple sources of data. Key information was thematically grouped in order to answer the research questions of the study. The seven themes assisted in providing an organized and specific look into the issues surrounding the relocation of JMHS in lieu of the decisions made during *BOE of OKCPS v. Dowell* (1991).

According to all five participants and statistical data, OKCPS has several re-segregated schools. JMHS was an example of this disproportion of student body diversity. A majority of participants and racial student population data point to schools wherein African Americans compose more than sixty percent of the student population. The process of readjusting the boundary lines for the new JMHS also came across from participant and physical information (OKCPS boundary maps and OKCPS board minutes) as true and explained through these forms of data. As a result of the OKCPS's being released from court ordered desegregation planning accompanied by a current trend of re-segregated schools, this study sought to uncover if JMHS' relocation from one predominantly African American low socioeconomic area to a higher socioeconomic Caucasian area while displacing some African American students represented an unequal situation.

Since release from court-ordered desegregation planning, OKCPS has gradually slipped back into a state of re-segregated schooling in some of its schools. Some OKCPS schools are racially identifiable with the surrounding community in which they reside. With an end to extensive busing, a re-segregation has been seen. Participants stated that OKCPS has become re-segregated. Embarking upon the 22nd year after *BOE of OKCPS v. Dowell* (1991) the issue of diversity and segregated schools remains an important hurdle for the OKCPS to cross. The very issue Mr. Dowell fought for so many years ago, desegregation and diversity, within all OKCPS schools is extremely pertinent to understanding reasons behind the relocation of JMHS and possible displacement of current students to another predominantly African American school.

Segregated Neighborhoods-Theme 1

As observed by the racial student demographic data, many of OKCPS schools are re-segregated. Meaning, there are schools where there exists a single race majority. Historically, the major contributor to segregated schools has been segregated neighborhoods. As the school boundary lines changed with the relocation to a different area, some former students of JMHS were no longer within the attendance zone of JMHS and were sent to attend Oklahoma Centennial High School. Due to its physical location and the neighborhood in which it resides, Oklahoma Centennial is a single race school. The year of JMHS' relocation, Oklahoma Centennial High School maintained an African American student population of 66% while JMHS's African American student population was 66%. Caucasian student population at Oklahoma Centennial is lower than JMHS with it being 9% and JMHS Caucasian student population at 16%. This mirrors the surrounding community and illustrates the increase in the Caucasian

student population at JMHS during its first year in its new location. This change may have been an unintended consequence of JMHS relocation, though, one of significance when trying to ensure adequate integration at the newly relocated JMHS. As participant one, Jeffrey stated, “Eisenhower, which was a middle school prior to JMHS’s relocation, would now become Centennial H.S., housing students from the previous JMHS”.

Although highly segregated, OKCPS does not suffer alone. They are among the many other school districts in large, urban cities, throughout the nation, grappling with the issue of re-segregated schools. Completely aware of OKCPS’s re-segregated school system, participants offered only remarks of introspection about the reasons behind Oklahoma City’s (OKC) segregated neighborhoods. As a direct cause of that discrimination, the problem of segregated schools and neighborhoods in *Dowell* v. *BOE of OKCPS* (1963) can be seen presently. While, OKCPS has become a re-segregated district, it appears that one cause of this re-segregation may have occurred as a residual effect of the housing discrimination spawned from the initial *Dowell* (1963) case.

When OKCPS was released from its historic constitutional obligation to convert to a unitary system, the issue of re-segregation slowly took root. Mandatory busing efforts ceased, programs designed for integration slowly faded, and schools like JMHS were moved from a minority-segregated area to a majority-segregated area, leaving behind prior students to attend another already segregated school. With attendance lines redrawn, former JMHS students were now forced to attend a different school. This new already highly segregated school, Oklahoma Centennial High School, would now be faced with these newly displaced students.

Consequently, it seems OKCPS problem of re-segregation is clearly related to its release from court-ordered obligation to consider race in efforts to desegregate schools. Its relocation of JMHS from one majority African American area to a majority Caucasian area illustrates this forbiddance to view race as an important factor in relocating a school. Most participants cited "un-diverse" neighborhoods as the cause for OKCP's segregated schools. The schools are a reflection of the neighborhood. OKC resembles most major urban areas in that the schools are re-segregated due to the surrounding segregated neighborhoods. Although, unlike most urban cities, this occurrence happened in reverse in OKC. In *Dowell v. BOE of OKCPS* (1963), the term, schools-neighborhoods, was coined specifically to address issues with OKCPS. OKCPS schools were constructed prior to the occupation of the surrounding neighborhood. Schools were constructed to accommodate a particular neighborhood and race of people. The participants in this study articulated that the OKCPS is still segregated and has become re-segregated in current years. Similarly, participants blame OKCPS and OKC for its re-segregated schools. They believe OKCPS is and has been re-segregated due to its past pattern of residential segregation. As participant five, Larry, noted,

> No, [schools are not racially balanced] because Oklahoma City is not racially balanced, it is an extremely racist community. Racism is something that is alive and well in Oklahoma City and no one wants to talk about it. Diversity comes when you have diverse neighborhoods and communities. It is not the job of a school system to carry the burden of creating a diverse community, that's always been faulty.

Joel, participant four, comments on the re-segregation of OKCPS. He also cites segregated neighborhoods as the major cause of segregated schools in OKCPS.

> While you have the neighborhood segregated the way they are with the elementary schools, where there is no busing. You have segregation and that's why you hide your fifth year plan to return things to the way they were before. As a result you have what you have, which are schools that are re-segregated. Which are majority Black or Hispanic, and therefore we have a re-segregated school system.

All participants explained that because of the damage done during the time of the initial *Dowell* (1963) case, communities were left segregated. This "left over" damage has marked or coded some areas of town or communities as either minority communities (consisting of mostly Hispanics or African Americans) or Caucasian areas where other races had not resided in the past. Likewise, the schools within these communities are left as historically one-race schools. Steve, participant three, further adds to the discussion of residential segregation in OKC and how it has, in turn, led to school segregation.

> The answer to racially balanced schools is to maintain racially balanced communities, neighborhoods, and cities. The burden of integration was always placed on the schools, but the real fact is that integration should have taken place in the neighborhoods. I think that the answer is to maintain racially balanced neighborhoods and affordable housing.

Participant two, Taylor, agrees that OKCPS schools are segregated because of the surrounding neighborhood segregation. "It is somewhat not racially balanced based

on the way we live...It is not homogenous in that sense. So, it tends not to come out that way sometimes. We have many ethnic groups on some sides of town".

While agreeing that OKCPS has become re-segregated, Jeffrey, participant one, feels that the answer is not to desegregate schools. He believes that OKCPS has tried many integration efforts and the focus should not be on student integration efforts but rather school quality efforts regardless of student race.

> OKCPS is not racially balanced due to neighborhoods not being racially or culturally balanced. The public schools are a reflection of who lives where in the district in the school system. Although, maintaining racially balanced schools is not an important issue in today's schools. I think the racial balance thing, we went through that, you know we had affirmative action. We had desegregation. We had all those things. We have done that. Been there, done that. We don't need to do that anymore. All we need to do now is be friends and to work together for a better school system.

OKCPS has become one of many large urban districts around the nation to be experiencing re-segregation. OKCPS, among other districts that have been released from court-ordered desegregation planning, has slipped back into a segregated state. This gradual slip back into a re-segregated school district can be attributed to the effects from the following actions: end of busing and lack of diversity planning. These two sub-themes will be explored for their contribution to OKCPS's re-segregated schools.

End of busing. Joel, participant four, adds to the discussion of busing by describing other factors along with residential segregation that has lead up to OKCPS's problem of school re-segregation. He brings up the issue of the "end of busing" as another contributing factor to the re-segregation. In 1972, OKCPS, for the purposes of eliminating single race schools, utilized busing to assist in school integration. Joel notes:

> You would have to reconfigure our neighborhoods [to eradicate segregated schools], which are segregated so city planners have to do some reconfiguration of the school district in this case I-89 [Independent District Number 89], Oklahoma City Public Schools, which encompasses a huge area. In addition, while you have the neighborhoods segregated the way they are with the elementary schools, where there is no busing, while maintaining your busing in the upper grades and that has not worked out very well. It was an imperfect solution to establish interracial equality. As a result you have what you have, which are schools that are re-segregated. Which are majority is Black or Hispanic, and therefore we have a re-segregated school system.

The data from the *Dowell* (1963-1991) litigation and case related literature indicated that due to criticism from minority families having their children bused to schools many miles away from their homes, the busing of students for the purposes of achieving diverse schools was stopped. Elementary students returned to their home campuses within their segregated communities. This has, in turn, created a segregated situation and forced elementary schools to populate their schools solely with surrounding neighborhood students.

Lack of diversity planning. Another factor that may have contributed to this re-segregation of schools is a lack of adequate and meaningful diversity planning. There has been no indication that the issue of integration was ever thoroughly addressed when planning for the construction of JMHS. Larry, participant five, comments on the absence of group planning sessions or group consensus decisions pertaining to the placement of JMHS.

> The decision [on the location] of JMHS was made by people whose interest had nothing to do with kids and nothing to do with schools. The decision [to relocate JMHS to its current location] was a decision made by the business community and was purely self-serving for the others who were trying to create a certain image for Oklahoma City.

Jeffrey, participant four, also does not recall planning sessions or meetings held to discuss or plan for student diversity at the new JMHS. He states, "The decision [to place JMHS in its current location] was a decision made by a former city leader along with other city leaders."

When relocating JMHS to another part of town and to a different community, the issue of integration was not fully analyzed for its importance in the new JMHS's student population. The evidence of diversity planning meetings or strategies did not come across in interviews or data. JMHS administrators should have planned better to avoid JMHS's Caucasian student population from increasing while its African American student population decreased, matching the surrounding community.

Boundary Lines-Theme 2

OKCPS's attention or inattention to boundary lines emerged as an important theme to understand the research questions explored in this study. OKCPS's inattention to effects caused by rerouting boundary lines is an important factor in understanding student diversity within the relocation of JMHS. The re-configurated boundary lines have created a racially isolated high school. Oklahoma Centennial High School, a minority, high poverty school, is now faced with the challenge of low socioeconomic, minority students coupled with a low socioeconomic surrounding community. JMHS now resides within a suburban, middle class majority Caucasian neighborhood. Complete with new technology, additional space, and newer facilities, it now educates a different majority student population. It now hosts a decreasing minority presence with a steadily increasing majority Caucasian presence. However, not far from its previous location, the new JMHS was located in a different zip code. According to participants, the new neighborhood should have been closely analyzed to ensure fairness and equity for all students in assigning students from both areas equally – pre- and post-relocation. Cultural studies would have needed to be conducted to ensure cultural diversity comparable to the school's past cultural diversity data. All of the participants' responses in this area were lengthy and described how new attendance lines were redrawn pre- and post-relocation of JMHS. Participants spoke not only about the changed boundary lines due to the relocation, but also about the effects caused by the relocation to a different community and neighborhood. Jeffrey, participant one, spoke on how OKCPS made the decision to redraw the boundary lines.

> So, then the question got down to well where are you going to draw the lines, who goes to what school? [at the community meetings]…It was one of those. I do not want this in my backyard. It did not make any difference about segregation; they just did not want a band playing on Friday night. Therefore, we got a lot of demographic data. We looked at District one, the district which includes OKCPS, data including boundary lines. That boundary is to go up to the turnpike and a half a mile this side of Memorial draw a line from McArthur out past Martin L. King and then go south around the highway out there until you get down and come back about to Britton Road. The demographics of that District are 65% black. You try not to gerrymander the thing where you got an all-white school and an all-black school and that was not our intention at all. So, when you look at the money involved and the location involved and where Eisenhower HS was going to be because we already owned that building.

Steve, participant three, added to the discussion of how and why the boundary lines were redrawn. He believed that because boundary lines consistently change, it gives the illusion to community members that equity is at the heart of OKCPS's concerns. Steve noted:

> [They] consistently redraw the attendance lines because of patterns where people live. In addition, to try to give the illusion that something is being tried to create equitable schools, but that has never really been the case. I mean they will draw the lines and then do not pay attention to those lines. The fact is that most of the children who probably would be in the John Marshall School attendance

area, who are White children are probably attending classes in schools in the central city (specialty schools).

Larry, participant five, agrees that boundary lines were revamped. He believes that boundary lines were intentionally reconfigured to exclude some of JMHS's former students. He believes that administration planned to turn JMHS from a predominantly African American lower income school into a Caucasian higher income neighborhood school.

> So …they [the attendance lines] were redrawn to fit those particular people for the new John Marshall. It was a quirky drawing line. Therefore, I do not have a problem with a school being relocated. I do have a problem with the redrawing of the lines to benefit what they believed at that time were to create an economically elite high school.… Yes, they were redrawn. That I have witnessed myself.

According to the analysis of all study data, boundary lines were adjusted and redrawn to include more of the area of town previously served by JMHS. Steve, participant three, and Larry, participant five, concurred with Taylor, participant two, believing that the new JMHS was created with an emphasis on a higher socio-economic class of students. Taylor stated, "In the initial plan, boundary lines were to include certain neighborhoods and certain people. It rather changed a little bit. I think that it was going to kind of be the better academic school."

As a career teacher at JMHS, Taylor experienced first-hand the redrawing or tweaking of the attendance lines to accommodate the new group of JMHS students. She witnessed the systemic changes as they occurred. She refers to the attendance lines

being redrawn to accommodate the more middle to high socioeconomic group of future JMHS students with only some but not all current JMHS students. A portion of students was to become students at the newly created Oklahoma Centennial High School. This high school would be reconfigured from a former middle school turned mid-high school. "… [Boundary lines were redrawn] to fit those particular people for the new John Marshall along with some current students as well."

The initial (first year relocation) JMHS attendance area map, referred to by a majority of participants, could not be located during data collection and was not on file with OKCPS Planning and Research Department. The pre-relocation and post-relocation boundary maps are posted on the OKCPS website located at www.okcps.org. As indicated by the post-relocation boundary map, a few areas previously served by JMHS are not served by the newly relocated JMHS. For example, the majority African American populated areas and neighborhoods in and among the streets of Kelly and Martin Luther King were served before JMHS was relocated but were not included post relocation. Majority Caucasian areas to the north, within and among streets such as Memorial and Portland, were not included in JMHS attendance zone previously, though they were included post relocation. This change in student boundary lines can be attributed to two different explanations. First, the change could be explained by the need for JMHS to serve more of a Caucasian student body in efforts to further diversify JMHS. Although, when current students were displaced and sent to segregate Oklahoma Centennial High School, doubt did exist that supported the idea that JMHS was being taken from the African American community and not valuing their students. In the face of a steadily decreasing Caucasian student population, this change was seen as a way to

attract more of a higher socioeconomic Caucasian student body and less of a lower socioeconomic African American student body. Second, after careful review of attendance zone documents, change in the communities served by the old JMHS versus the communities served by the new JMHS could be noticed. The new attendance zone includes more of the northern communities (middle to upper class neighborhoods) and leaves out some previously served southern sectors of the city (lower to middle class neighborhoods). The current map includes the area of Nichols Hills and only part of The Village. It draws a straight line down Pennsylvania Avenue past Hefner Road to Britton Road where it curves to the west. It leaves out highly minority-concentrated neighborhoods and places them in the attendance area of already segregated Oklahoma Centennial High School. Taylor, participant two, stated, "They went right down the center of that line, drawing in an area for Northwest OKC to encourage them to go to JMHS". Contrastingly, Joel, participant four, agrees, "they were changed", but adds that, "I think it helped to bring about the desired segregation [change from a majority African American school to a majority Caucasian school]."

John Marshall High School Relocation-Theme 3

The reason behind JMHS' desiring a new physical space came across from the data as necessary due to a dilapidated building and the need for a larger space. With the recent passage of the MAPS for KIDS school bond, the monies needed to create a new space for JMHS would be available. However, the exorbitant cost of rebuilding JMHS at its previous location was beyond what was affordable through the MAPS for Kids school bond thus a new location had to be acquired. Through the concept of sequence, as mentioned in Chapter three, events occur in a certain order. The salient theme

emerging from the concept of sequence was JMHS relocation. In lieu of the space and money needed to rebuild JMHS at its current location, a new space for JMHS had to be searched. This new space had to be able to accommodate certain key things central to a good high school such as a large band room, track field, large student and faculty parking lot etc.

It must be discussed that Jeffrey, participant one, overwhelmingly stated that the decision to move JMHS was first based on pure location data. An area large enough to include all components needed for high schools was sought. From his perspective, there was no indication that, in the beginning planning stages anything other than a viable location was investigated. He reasoned that the motive for JMHS's relocation was purely financial because of the amount of space needed for courts, a new track and all other things related to a high school's space needs. The space needed to rebuild old JMHS was not available. To tear down and rebuild in the same location, costs would have been exorbitant. The current location could be purchased and the entire high school built for less expense. Jeffrey, participant one, discusses the decision process experienced by OKCPS administration for the relocation of JMHS.

> Well, JMHS in its previous location had to come down. I mean it had asbestos in it. It was a mess. The decision to move JMHS was financial. It was based on the location, the busing required, and the demographics of where people lived, you know, so we could keep the balance and that is why [we] decided to have it built there. It was a School Board decision there was not exactly a unanimous decision on either side where it was to be located. So, all we could do was to try and think through…Where was the right place to put it so we could save as

much money as we could but still fulfill the mission of the schools? One of the places, you could put it, is you could tear down the old JMHS and put it there—cost prohibitive.

Jeffrey further discussed the relocation specific to the MAPS initiative. As mentioned earlier, MAPS, also known as MAPS for KIDS, the school bond used to finance the construction and relocation of JMHS. Jeffrey noted:

> We did not have that much money, in MAPS. We could not tear it down and build where it was. The time involved was going to take longer than MAPS was going to take to tear it down and rebuild. Therefore, we went looking for bare land to start all over again. There were about 14 locations considered for the relocation of JMHS. Nevertheless, most of them were not viable. They were not viable for a number of reasons. There was not enough land to build practice fields, baseball fields, there just was not enough room. So, it really boiled down to two or three viable locations. We looked at a property on 122nd and Penn across from Heritage Hall High School. The sale price was very expensive. The other property on 122nd and Portland belonged to the Water Resource Board. It had to be only transferred to assessed value, which is much less than fair market value. The decision was not exactly unanimous that it was to be located on this property. All we could do was think through and try to put in a place where we could save as much money as we could.

In essence, Jeffrey clearly expressed the relocation issue as being one related to the costs associated to construct the new JMHS. While, Taylor, participant two, raises

the issue of more space needed by JMHS but does not speak of the current location as a better space than any other closer location. Taylor cites the need for additional physical space as an advantage the new location had over the previous location. Although, this physical space may have been necessary for JMHS, there was not a clear reason for the relocation to an area many miles away from its current location and in a different ethnic community.

> It [JMHS] needed to be removed from the neighborhood area if they were going to do the things they [OKCPS Board of Education] said as far as extracurricular spacing, athletic events, and things like that. There was not enough land to do all that in its current location.

From an analysis of student diversity related literature and observation of academic gains of segregated schools versus more diverse schools, student diversity plays a meaningful role. The non-acknowledgement of race as an important factor in creating integrated schools has important implications for the effective and successful education of a student. Student diversity should matter in an effort to plan strategically to relocate a school. From the data analyzed in this study, student integration should be taken into very careful consideration when a district endeavors to undo years of institutionalized, legally-mandated discrimination. Hence, the issue of JMHS illustrates how an urban district did not appropriately value student diversity when relocating a school from one racially predominant area to another racially predominant area while displacing some students.

For instance, the data across all sources clearly show that because of the initial neighborhood placement of so many of OKCPS's schools, the construction of JMHS

could have brought about the natural integration it needed. Located in a segregated area, its move to another segregated area would not solve the integration issue at hand. Evidence collected during the study suggests that the only diversity planning that took place was the setup of community meetings. In lieu of the changing ethnic makeup of the new neighborhood surrounding JMHS, there was no documentation of a well-planned diversity strategy for student integration at the newly relocated JMHS.

In 2006–2007, according to the OKCPS District Statistical Manual, the year before the JMHS relocation 4 .76 miles to the south of its original location, the student population was 78% African American, 12% White, 6% Hispanic and 3% Asian. The 78% African American student population is a reflection of its surrounding neighborhoods of the Village and North Highlands. The surrounding community of The Village possessed a large African American population. In 2005-2006, the African American student population was 79% with the Caucasian student population at 13%. In its new location, the surrounding upper to middle class neighborhood is known as Quail Creek.

With JMHS relocation to the new neighborhood/community of Quail Creek, the African American student population decreased in 2007–2008 from 79% to 66% with the Caucasian population increasing from 13% to 19%. A decrease of 13% points in the African American student population is noticed coupled with a 6% increase in the Caucasian student population. The decrease in the African American student population together with the increase in the Caucasian student population should not be dismissed as solely due to family/student choice. Due to the analysis of data stating the importance and value of student diversity, this phenomenon should be analyzed and discussed in an

attempt to understand the factors involved in order to maintain balanced student integration in the new JMHS.

Likewise, in the years following the move to relocate JMHS, a decline in the African American student population was observed. In 2008–2009, the African American student population was 72%, with Caucasian at 18%. African American population continues to decrease in 2009–2010 to 70% with Caucasian at 16%. Both races decreased by a margin of 2%. This decrease may represent OKCPS's increase in its Hispanic student population from 6% to 9%. The movement of numbers of students away from urban Oklahoma City to the suburban neighborhoods and schools of Oklahoma City may also explain the decrease of the African American population.

In review and analysis of data from the OKCPS statistical manual, over the span of five years from JMHS's post- and pre-relocation, the African American student population has declined from 79% last year pre-relocation to 70% post-relocation. The Caucasian population has experienced increases since relocation. The year prior to the relocation of JMHS, the Caucasian population was 13% increasing to 16% in 2009-10. There was a decrease between the 2007-08 and 2008-09 of 1% and then again between 2008-09 and 2009-10 of 2%. Concurrently, the African American population decreased by a 9% margin from pre-relocation to 4 years post-relocation. While the Caucasian population did initially represent a small percentage of the student population, pre-relocation of JMHS, it has subtly increased from 13% to 16% with the 2007-08 year experiencing a 6% increase. This very same year, one year after JMHS relocation, this 6% increase represents the largest Caucasian student population to date. The African American student population decreased to its lowest thus far at 66%. This increase and

shift from majority African American towards a majority Caucasian student population represents a non-acknowledgement of student diversity as valuable when former students were displaced to a nearby segregated high school.

The relocation of JMHS represented an inattention to student diversity when it relocated one racially identifiable area to a much different racially identifiable area. For instance, OKCPS district statistical manual lists the racial student population of JMHS. Table 6 tracks the racial student population from the school year before JMHS was relocated (2005-2006) to five years into its new home in 2010-2011. It illustrates in data the slight decreases in the African American student population coupled with an initial decrease then steady increase in the Caucasian student population.

Table 6

John Marshall High School Racial Student Population by Academic School Year

	2005–06	2006–07	2007–08	2008–09	2009–10	2010-11
African American	79%	78%	66%	72%	70%	69%
Caucasian	13%	12%	19%	18%	16%	16%
Hispanic	6%	6%	7%	6%	9%	11%

From an analysis of all participant data, OKCPS realized that the old JMHS was in bad repair. It was one of the oldest school buildings in the district and had not been

kept up very well. With the approval of the MAPS bond committee, it became apparent that JMHS could get a new facility. The cost and time accompanied with demolition of the current building in addition to new construction on the same site would be costly. Therefore, a new location had to be found. Post-relocation, JMHS now spans over several acres and has everything and more that a high school needs. The facility is complete with technological advances, state of the art classrooms, labs, and nicely landscaped outdoor spaces. With the addition of a new school site, in a new area, new boundaries had to be arranged to accommodate new students. These new attendance lines did not include the same students as the previous JMHS did. The African American student population decreased from 79% to as low as 66%, only one year after being in its new facility. The Caucasian population beginning with a low 13% to being as high as 19% one year after being its new facility. Although, the intentions of OKCPS were to construct a new facility for JMHS, data reviewed for this study revealed that this new facility might not have included the same students as it had before. Numerous schools in OKCPS are re-segregated. Thus, extensive diversity planning should have taken place before locations were considered. Through analysis of all documentation and through participant interviews, evidence of this careful planning was not evident. As the Caucasian student population increases and the African American population decreases, OKCPS should endeavor to ensure that the school's relocation process was not an intentional effort to discriminate against former or current African American students.

Initially, the idea of relocating JMHS seemed like a bad idea because of the movement to an area far northwest to where it presently existed. As the participants

noted, the surrounding community felt betrayed as their beloved school moved to a different zip code leaving behind a huge eyesore in their neighborhood. Questions lingered as to why the location could not have been closer to its former location and not so far away. As the participants noted, community tempers flared over the readjustment of attendance lines created to include "new students" for this "new high school."

JMHS-current location. From participant data, most community members do agree on the beauty of the new facility. It sits high on a small hill in Northwest OKC. Its towering presence can be seen from the nearby highway, Hefner Parkway. It is a massive structure built in sections for grades 6^{th}-12^{th}. The building boasts up to date technology, equipment, and design. JMHS inhabits a beautiful piece of land with space for everything it needs. It is a part of the OKCPS but is not physically situated within a neighborhood. It has nearby surrounding neighborhoods but no neighborhood directly across the street.

All five participants commented on its new location. Larry, participant five, believes the JMHS was intentionally placed in a more affluent neighborhood, which, in turn, significantly influenced student diversity, boundary lines, and community perceptions. He agrees with the need for a new high school in lieu of JMHS's dilapidated building but disagrees with the way the situation was handled and the new neighborhood in which JMHS was placed.

> Well, it is nice to have a new school. In this situation, it puts the high school near the more affluent population. You have a new facility; it is closer to the highway. That, I guess is helpful in a way and in the neighborhood. I think you have more land or space that is very helpful there.

Larry, participant five, completely disagreed with JMHS relocation. He felt the situation was not handled appropriately with significant care and attention paid to JMHS's African American student population.

> One of the most terrible things that ever happened in Oklahoma City was the relocation of JMHS. I have never seen anything as potently racist occur in this community in many years. If you ask me, it is obviously an effort to remove an element from the school that they thought they could move away and then move a building to the west to give it a new face. I think it was also designed to try to attract folks back to the district that they helped to run away from the district in the first place. As far as I am aware of, there are no benefits. The greatest benefit to John Marshall was being close to the Nichols Hills neighborhoods, which are one of the most affluent cities in Oklahoma. In addition, the people in the Nichols Hills community welcomed that school there for many, many, many years. I would have attempted to provide the same kind of community partnerships at the high school that they provide at Nichols Hills Elementary School. Every community wants good schools in the community. The answer was never to move it; was to join hands with Nichols Hills, with The Village [another surrounding community], and with the people in that part of the community to do what is necessary to try to make that school work.

Larry further recalls the issue from a standpoint insisting that there were no benefits to the students of JMHS when it was relocated. "I do not believe they had the interests of the kids from Oklahoma City at heart. I think you have to look at what these folks are really doing. This is not JMHS but this is the way things [in OKCPS] work."

Agreeing on the need for a new physical space but not on the redrawing of attendance lines, Steve, participant three, stated,

> I do not know what benefits/advantages there are [for the relocation of JMHS]. I think because of the lack of support, the lack of confidence that the area that they moved the school to. I think that they have still failed to attract the kind of student[s] that they were hoping to attract, to attract the type of family that they were hoping to attract. I think the school is still struggling with some of the same woes that it had whether it was in its old location or new location. The advantages, they [students] are in a better, quality school. I think it is important to, for our students if you cannot build a new school like that, at least, have a good quality building to be in. We were able to build them a building. Therefore, I do not have a problem with a school being relocated. I do have a problem with the redrawing of the lines to benefit what believed at that time were to create an economically elite high school.

Steve's perspective is strong about the redrawing of attendance lines at JMHS. Taylor discussed the benefits of the new location and believes that a new physical building was indeed needed. She expressed that the upgraded technologies and increased physical space is an advantage over JMHS's previous location.

> I think the benefits and advantages are that since it is at a different site, and it is a brand new building, it has a different tone to it. Because the old building was getting very old and dilapidated, in a sense, now they have new facilities. So, they have upgraded, more technology, and access to Internet, computer based learning. I also think that it has become popular not just because of the

> controversy but its location is easily seen too from the highway. It is not in a residential area. It changes their focus. They are at school. They have to be there. There is nowhere else to really go.

In summation of the data supporting the theme of JMHS relocation, the data from the participants expressed that JMHS's previous community felt like their school was taken from them and their students were not equally valued. The redrawing of the attendance lines brought as much controversy in the public as the relocation did itself. It seemed as if a large portion of current students were being sent to Oklahoma Centennial High School (a new high school created from an old middle school building) to make room for the new JMHS students. Through community meetings, public outrage and complaints, the attendance lines were redrawn again including more of the former JMHS students along with new JMHS students.

As stated by Jeffrey, participant one, the OKCPS believed desegregation plans were outdated and were not relevant to current times. He felt like that because of extensive litigation experienced through *Dowell* (1963-1991), OKCPS, at the time of JMHS relocation, did not feel like attention to student integration at JMHS was necessary.

Specialty Schools-Theme 4

According to participant interviews and OKCPS statistical student data, student body diversity in specialty schools occurs because of race neutral strategies. Specialty schools specialize in a particular area of study and are not resident based. Instead, specialty schools require certain criteria and an application process to be satisfied for attendance. The specialty high schools within OKCPS engage a diverse group of

students by offering a specific program of study and necessary criteria for school acceptance. The theme of specialty schools arose as evidence of OKCPS's efforts to diversify some of their schools. The creation of several specialty schools seemed to be a strategy used by OKCPS to increase integration while increasing opportunities for students in high school. Attendance is not resident based rather employs an application process for students. This attention to student integration reflects attention to the pursuit and importance of diversity within OKCPS.

All participants agreed on specialty schools as a solution to better diversify schools in OKCPS. Specialty schools were cited by the participants as exemplars of the district's efforts to create race-neutral procedures, diversity policies that do not consider race in assignment policies, to diversify schools. Specialty schools are schools that offer a special program of study and do not geographically restrict student attendance to the surrounding neighborhood. Rather, these schools offer an application process for admission. In initial planning stages, JMHS was conceptualized as a specialty high school. A high school that would be an application only school. A school that would require an application process for admission. This, in turn, would eliminate it from being a neighborhood school. A majority of participants, four of the five participants, spoke on this issue. Joel, participant four, spoke on how one high school is a single race school, majority Hispanic, while another in the same area is not. The one high school that is not a single race school is a specialty high school. Joel believes, like the other four participants and study data, that specialty schools have been a good way to diversify high schools in OKCPS.

> Therefore, you have a minority majority [at most OKC high schools] less so with the Southeast High School because it is a specialty high school… The cream of the crop goes to Southeast High School.

Jeffrey, participant one, further describes the benefit that specialty schools offer in terms of increasing student diversity,

> Classen School of Advance Studies (a specialty school), which is right in the middle of town, which by the way, is…pretty racially balanced…they don't care about what color you are they care about what and how you want to learn.

Larry, participant five, truly believes in the concept of specialty schools and is an advocate of them in OKCPS. He believes that there are not enough of them within the OKCPS. Since this interview, it is my perception through current observations that OKCPS has made statements regarding their intentions of creating more specialty schools in the coming years.

> Now I say…if you build it, they will come. Classen School of Advanced Studies is the prime example of that. Kids come from all over OKC to go to the School of Advanced Studies. Because the school offers something, they offer a unique program… For example, you have Douglass High School sitting over there another brand new school building still not attracting the kids. Because it doesn't have a program that meets the kids' needs. You got to give people a program; you can't just give them a new building and say here folks this is it come take this, in my opinion.

Steve, participant three, agrees with the specialty schools concept citing its acceptance requirement as a positive way to influence student diversity in a positive way.

> People need to know that their kids can go to school in a safe environment. They need a program that attracts people. Some schools are [racially balance] and I think the ones that rare considered specialty schools or charter school have a little bit more balance because there is a requirement and a standard to be met and they [students] have to meet these. I think they are inviting to whoever meets those requirement and keeps in line with those requirements. I think they tend to be a little bit more balanced.

Consequently, all participants agreed that the creation of specialty schools does help student diversity. They believe it is beneficial for the students to have an interesting program to be a part of admission requirements that are based solely on certain criteria. As long as race, color, or ethnic status does not become a criterion among admission requirements, natural diversity should occur. Students from all backgrounds can attend. Increased graduation rates and scores may be the lure specialty schools offer for all high schools. It creates a win-win situation for the student and for the school in terms of student diversity. Steve, participant three, states early intentions for JMHS, post relocation, to be similar to a specialty school.

> The new JMHS was not just going to be a new building alone. Intentions were to revamp the school all together, creating an elite school for elite students.
>
> As the community believed that, the relocation was going to be relocation into the same school name, mascot, etc., while OKCPS administration pushed the new JMHS to be completely different. Ideas of an elite, charter, preparatory school were brought up thus changing the name, mascot and student population.

Subsequently, this change did not occur after relocation. Although, the grade configuration of JMHS did change from grades 9^{th} -12^{th} to grades 6^{th} -12^{th}. The school changed from high school to a middle school through high school. Although, this can be attributed to a system wide change in OKCPS schools from elementary schools, middle schools, and high schools concept to an elementary school and middle school through high school concept. Instead of three schools for grades K-12, two schools now exist, after OKCPS combined middle schools with high schools. JMHS was one of the first schools to implement this new configuration. An intention to remake JMHS into a type of specialty school was echoed throughout four participants. Taylor states,

> I think their [OKCPS Board of Education] intent was to implement a higher economic class of persons being more than racial. I believe it was the intent of those persons…for John Marshall to be set up as an elite public school. Their intent was to ensure that they cut out low income. You can almost separate race line by the economic income of a certain neighborhood. It was set up to encourage some of our higher income OKC residents to send their kids to an OKC school.

As a JMHS teacher, Taylor, participant two, was close to the decision to remake JMHS into a specialty school and believed JMHS was going to go through a complete change. She feared that it would not be the same school. Taylor expressed that JMHS staff, including herself, feared that even the mascot might change. Their feelings were deeply concerned with changing the entire school completely but maintaining the same school name. Staff felt uneasy about all of the upcoming changes.

As discussed earlier, Larry, participant five, carried intense feelings about this issue of the remaking of JMHS into a different type school. He believed that like the participants, JMHS was going to be recreated into an elite specialty school. He thought the new JMHS was created to eliminate future unwanted students that attended the current school, students from lower socioeconomic backgrounds. He stated, “It’s obviously an effort to remove an element from the school that they thought they could remove and move a building to the west to give it a new face.”

JMHS at its previous location, although an integral part of the surrounding community, did not have appropriate or optimal learning environments. Historical data from OKCPS archives and participant data revealed that, built in 1946, the school had not been well maintained. It was in need of extreme repair with asbestos throughout and leaky ceilings. Thus, suggesting either a new building or a complete overhaul of the existing facility. Initial intentions were to create a specialty school to both address the problem of re-segregation and to provide an optimal learning environment. After much deliberation, the school board decided against the re-creation of JMHS as a specialty school. Their decision against this goes against the importance of student diversity since student attendance at the new JMHS would be resident based. The student race population would thus reflect the racial makeup of the surrounding community. The move away from the creation of JMHS as a specialty school would eventually change JMHS from a predominantly African American school to a predominantly Caucasian school. This can be currently observed by the gradual decrease in the African American student population coupled with the gradual increase of the Caucasian student population at the newly relocated JMHS.

Importance of Diversity-Theme 5

Although, the importance of diversity did not come across strongly in the data as important when OKCPS decided against the creation of JMHS as a specialty school, the importance of student diversity in public schools came across strongly as pertinent to a successful schooling experience, in particular the effect on JMHS students. As discovered, most OKCPS schools have become re-segregated, though participants in this study communicated the value of student diversity within schools. Participants agreed on the significance of student diversity within a school. Thus, through analysis of participant and other study related data, findings did not support the importance of diversity for all students.

All participants agreed that diversity plays an integral part of a student's education. Jeffrey, participant one, commented on the significance of a diverse atmosphere as it relates to finances and the representation of the socio-economic status of students attending a school.

> Diversity means a lot. I mean, kids learn in a diverse atmosphere. Society is diverse… I think Black kids do a lot better when you mix them up with everybody. So, that the culture is… not so predominant. When you have diversity in the schools, you also have a diversity of finances [different cultures increase the diversity within the socioeconomic classes of students].

Joel, participant four, adds to the discussion with a comment on the importance of a multicultural education in schools. "[Diversity in schools] should be top priority. It should become a part of the curriculum. Multicultural education, that's a dirty word for some people [but an important word for schools]."

Steve, participant three, lamented with a worldly view about diverse student bodies noting:

> I think that students benefit greatly from being in diverse situations. It is a way of the world and how they learn and how they incorporate themselves into diverse atmospheres will better them as young people and as old people.

Lastly, Taylor, participant two, addressed not only the importance of a diverse student body but the importance of a diverse staff as well.

> It should play a very high role in diversity if that is what we are trying to build because as you prepare them to become young adults and function on their own, they are going to have to get used to diversity and we cannot build on ethnic groups or color. I think every background gives somebody some experiences and some knowledge. Therefore, I think they need to make sure that [teachers and administration] do address all types of diversity as much as we can even including language barriers and not necessarily ethnic barriers too. [Staff] Administration should be diverse too. The people you get in there should be diverse. I think even the experience of those school leaders and backgrounds should be diverse as well.

Diversity plays a significant role only when it does not solely involve the mixing of people. It occurs best when mixed groups of people are committed to embracing the dignity and rights of each other while developing mutually benefitting relationships amongst each other. As diversity seemed important to a majority of the study participants, diversity within and during the JMHS relocation could have been a higher priority. With the school being relocated to another culturally significant area than

where once was, student diversity should have been handled with much care. In lieu of both the displacement of some students to another nearby school, the changing of the school boundary lines which then may be responsible for a steady decline in the African American student population, effective student integration plans and adequate attention to diversity was not evident in this case of the JMHS relocation.

Elite School-Theme 6

According to participant data, community beliefs remain that JMHS was taken from an African American community to create a school for a higher socioeconomic class of student. This type of economic discrimination cannot provide all students access to an equitable education and should never be tolerated. As urban education researchers have confirmed, contemporary forms of segregation have been noticed in large urban districts (Frankenberg & Orfield, 2007; Tefera, Frankenberg, Siegel-Hawley, & Chirichigno, 2011).

However, it was clear to all participants in this study that JMHS desperately needed a new building; the debated issue pertained to the composition and structure of the new school. As the old school was crumbling, administrators knew something had to be done. They knew that a new building in the same location was nearly impossible. As a teacher inside JMHS, Taylor, participant two, was close to this decision and believed, like most other participants, JMHS was going to go through a complete change. She feared that it would not be the same school, and she was right. Taylor observed that JMHS staff was deeply concerned with changing the entire school completely but maintaining the same school name. Staff felt uneasy about all of the upcoming changes. Taylor noted,

> The location was discussed for a while. Second, was the attendance area and was it really a public school or was it going to be a charter school with requirements or how was it going to be set up. Would they [the current students] be able to go there or not or how would that work? Then, the other issue was the mascot. They were considering a completely different mascot. So, I think it was [at first initial plans] going to be kind of a better academic school and so, they, the way they designed the building on team and wings and stuff like that. It seemed like there was a lot of emphasis on the academic areas.

Steve, participant three, concurred with Taylor and believed that the new JMHS was created with an emphasis on a higher socio-economic class of students. He stated, "In the initial plan, boundary lines were to include certain neighborhoods and certain people to go there. It rather changed a little bit. I think that it was going to kind of be the better academic school".

Steve and Taylor further comment on the decision made to create JMHS as a school for an elite group of new students. The intention was to draw a student body economically different from JMHS's previous student body. According to Steve:

> The new JMHS was not just going to be a new building alone. Intentions were to revamp the school all together, creating an elite school for elite students. … [Boundary lines were redrawn] to fit those particular people for the new John Marshall along with some current students as well.

Taylor adds to this observation of the creation of an elite JMHS:

> As the community believed that the relocation was- relocation into the same school name, mascot, etc. Some others pushed the new JMHS to be completely

different. Ideas of an elite, charter, preparatory school were brought up thus changing the name, mascot and student population.

The grades served by JMHS changed from grades 9th -12th to grades 6th -12th. Although, this trend of 1st -5th grade elementary schools and 6th-12th grade secondary schools has been implemented throughout the OKCPS, JMHS was one of the first schools to implement this configuration. Joel, participant four, further discusses the initial discussions on re-creating JMHS as a school for an elite (a student of a high socioeconomic standing) type student body, noting:

> I think their intent was to implement a higher economic class of persons been more than racial. I believe it was the intent of those persons…for John Marshall to be set up as an elite public school.

Larry, participant five, carried intense feelings about this issue. He believed that like the others, JMHS was created to be an "elite" school. Whether or not JMHS was initially thought to have been relocated in efforts to serve a new race of student, remains unclear. Although, it was not indicative that through the process of JMHS relocation, steps to reclaim the same previously served students were not strong. Seemingly, a tenacious effort to embrace all of JMHS's current students was not observed by the participants. Some students were sent to Oklahoma Centennial High School when they no longer resided within the new boundary lines. The rezoning of students and the sending of a portion of students to another segregated mid-high school displayed this uncaring effort.

Community Meetings-Theme 7

From all data reviewed, the setup of "community meetings" emerged as a significant theme related to the process of how OKCPS decided to relocate JMHS. Prior to the decision to relocate JMHS, the OKCPS School Board held citywide community meetings. These meetings were supposed to be set up as discussions between district leaders and the community about the best location for the new JMHS. OKCPS set up various community meetings. These meetings were set up as a way to gain public participation. In these meetings, the public could voice their concerns and opinions about the relocation of JMHS and other things freely. OKCPS administrators and board members would be given feedback, suggestions, and public comment on current or future projects.

Within his role as a public official, "community meetings" struck a chord with Steve, participant three. His whole career is concentrated on serving the public as an elected public official. Protection and representation of the public are of utmost concern to him. Steve noted:

> They [OKCPS Board of Education] had community meetings to talk about these schools, had parents show up and tried to gain community participation. I think that these were an elite group of OKC person[s] that had their own plan to set this elite school up and I don't think the community meetings mattered. Their intent or suggestions were not taken in consideration when it came to JMHS. I think it was a couple of high raking city official and high income persons for the Northwest OKC that made the decision on what they were going to see at JMHS.

OKCPS ex-Board Member, Larry, participant five, recalls having community meetings only as a strategy to appear as if the community voice was being heard and understood, noting:

> Of course, they [OKCPS] would have community meetings, but all those meetings were directed. I remember back in my time when I was on the Board of Education. We would hold meetings with the community, but the decision was made before we ever walked in the room on what we were going to do. You simply hold the meeting to make the community feel like they have some input. The decisions on John Marshall were made by people whose interest had nothing to do with the kids and nothing to do with the schools. They were purely self-serving for the business community and for the people in this community who were trying to create a certain image for Oklahoma City.

Another issue facing the OKCPS school board was concerns from citizens of the prestigious Nichols Hills community. Joel, participant four, remembers receiving many complaints about the school, being attended by too many minorities and about the school's physical appearance. Joel expressed sentiments from a note when he recalls reading a letter from a resident of the affluent Nichols Hills neighborhood. The resident reflected on the feelings they and other residents felt. Joel expressed sentiments from the note: "... had worked hard all my life to get a house in Nichols Hills… I didn't really want to have a ghetto school." Joel noted, this resident and Nichols Hills residents, felt like JMHS was becoming too much of a school that they did not want to be a part of or would support. Residents did not want JMHS near their homes anymore.

The vocal outcry from the Nichols Hills community, the apparent lack of necessary space in Nichols Hills to house the new JMHS, and the exorbitant cost of tearing down then eliminating the old location, combined to send a clear message from the Nichols Hills community to all persons involved in the decision that JMHS was not wanted in their neighborhood. Joel felt the pressure from the Nichols Hills residents in conjunction with other board members to decide on a solution necessary to appease everyone.

Thus, the community meetings may or may not have had much effect on the decision made by the OKCPS to relocate JMHS. It is clear that the school was moved from one economically disadvantaged community to another culturally different and economically advantaged area. This move infuriated the community previously served by JMHS as they found out about the changing boundary lines. The community meetings seem to have been set up as both a way to disseminate information about the relocation process and as a way to calm the community previously served by JMHS into believing only subtle changes to the school would be made with the relocation to another site.

Participant Follow Up Responses

At the conclusion of the analysis of the participant study data, the participants were contacted to ensure accurate representation of their statements. They were asked about their involvement with the JMHS pre and post JMHS relocation and their final decision on if, after five years, they thought the relocation of JMHS was actually a good move after all. With the exception of Taylor, participant two, and Joel, participant four, all other participants are no longer directly involved with the JMHS. Although, all

participants are indirectly involved with many OKCPS organizations such as the OKCPS Foundation (supporting OKCPS through community participation and involvement) and voluntarily participate in other community related activities that support OKC and OKCPS. Participant follow up responses confirmed the salient themes that emerged as significant to understanding the issues investigated in the relocation of JMHS.

Connection of Themes to Research Questions

In searching for answers to the three research questions of this study, seven emergent themes were highlighted with their connection to answering the research questions. Emergent themes aided in understanding the process OKCPS went through when relocating JMHS. Participants' quotes and other study data evoked themes that were useful to understand the case of JMHS and illuminated findings that answered the research questions. Understanding the data through seven emergent themes, assisted in foreshadowing the future of OKCPS in terms of school integration. In lieu of being released from court ordered desegregation status through *Dowell* (1963-1991), the research questions assisted in investigating ways OKCPS handled student diversity. The data in this study helped to investigate efforts OKCPS went through to pursue student diversity within the planning stages of the relocation of JMHS.

Research question 1. Is the current re-segregation of the OKCPS an unintended consequence or gradual result of the district being released from court-ordered desegregation planning in *BOE of OKCPS v. Dowell* (1991)? As observed across all forms of data, the current re-segregation of certain schools in OKCPS, specifically Oklahoma Centennial High School is segregated as an unintended consequence of the

increase in student diversity at JMHS. Since release from court ordered desegregation, OKCPS has gradually slipped into a state of re-segregation. This question pertains to the re-segregation of OKCPS. It questions the subtle shift towards re-segregation experienced by OKCPS. The themes and supporting data evidence about Segregated Neighborhoods and Boundary Lines surfaced as pertinent to addressing research question 1. The segregated neighborhoods of OKC, caused by legally enacted discrimination in *Dowell* (1963), have continued to influence community members' residence decisions to this current day. Historically, African American and/or Caucasian neighborhoods for the most part remain this way presently. Thus, these segregated neighborhoods have continued to affect the racial makeup of the surrounding community schools in Oklahoma City. Boundary lines were adjusted many times in OKCPS. The belief that these lines were adjusted for the new JMHS in response to community criticism seems evident from both participant interview data and the other document data.

Research question 2. What types or kinds of desegregation data were used to identify a good geographic location for the placement of JMHS to ensure adequate integration? The themes and supporting data evidence of JMHS relocation and the "elite school" are pertinent to addressing this research question. The process of identifying an adequate location for the placement of the new JMHS seemed to be a political move. The decision seemed to have come from city and business leaders having little to no assistance or acceptance from JMHS parents, community members or students. Consequently, the school was moved from an economically disadvantaged neighborhood to an economically advantaged area. The majority participant belief was

that this move was done in an effort to recreate JMHS into a type of "elite school" for economically advantaged students within its new surrounding neighborhood. Following public outrage, boundary lines were adjusted to include more of JMHS' former students along with students from its current neighborhood. Although, more of the current neighborhood is represented in the schools' boundary lines and is illustrated in JMHS' gradual decrease in its African American population and increase in its Caucasian student population.

Research question 3. How can OKCPS ensure that all students enjoy a diversified, quality education in the future? Diversified, quality education has seemed to remain a current obstacle for OKCPS just as it has historically been. As OKCPS attempts to increase student diversity by creating specialty schools and holding community meetings, maintaining equity and student diversity remains elusive. The themes and supporting evidence of Specialty Schools, Community Meetings, and the Importance of Diversity connect to this research question. Single race schools are evident in OKCPS and have been for many years. These single, predominantly minority-based schools are economically disadvantaged as well.

OKCPS did not place student diversity as a highly relevant factor to consider when relocating JMHS. The issue of necessary space, cost of the current land, and overall cost were all cited as reasons for JMHS's movement to its current location. There seemed to be decisions made without the input or collaboration of the previous entire JMHS surrounding community and neighborhood. The influence from the Nichols Hills community seemed to play a significant role in JMHS's removal as well.

JMHS moved many miles away from its previous location. As a complete eyesore today, the old JMHS building still stands and is not occupied.

Consequently, the decision to move JMHS came through as based purely on financial and political reasons. The influence of local business owners and current community members seemed to have had a major effect on the decision. Data gathered through participant interviews and documents put the issue of "cost" as a factor in the decision to relocate JMHS. Only a specific amount of money was available for construction of new schools in OKCPS. The monies for the construction of JMHS were no different. There was a set amount yielding the need for the best location at the best price available. JMHS's current location met this requirement the best. Relocating JMHS to a completely different cultural area from where it once was places the importance of student diversity at the helm of this study. It guides us to question whether the decision to relocate JMHS was in the best interests of JMHS students or for the best interests of other parties involved.

Table 7

Emergent Themes Related to Research Questions

Emergent Themes	Research Question 1	Research Question 2	Research Question 3
Segregated Neighborhoods	X	X	X
Boundary Lines	X	X	X
JMHS Relocation	X	X	X
Specialty Schools	X		X
Importance of Diversity	X	X	X
Elite School		X	X
Community Meetings		X	X

Outcomes/Findings In Relation to Guiding Legal Framework

As the guiding legal framework for this study, *BOE of OKCPS v. Dowell* (1991) paved the way for OKCPS to handle student diversity. The relocation of JMHS was cause for local concern due to its inadequate attention to student diversity and was substantiated by the outcome of the concluding *Dowell* (1991) decision. The *Dowell* (1991) outcome provided a legal lens from which to analyze and discuss changes when JMHS was relocated to a culturally and economically distinct area different from where it once stood for many years. When OKCPS was not required to provide much proof of a desegregated district upon release from court ordered desegregation planning, an inattention or under-appreciation of student diversity in OKCPS persisted. This legally

sanctioned inattention to race would be a significant factor in all of OKCPS's schools specifically with the relocation of JMHS present day. OKCPS's inattention to the proper planning of student integration illustrates this lack of acknowledgement of race as a critical factor in the entire education of students. Following release from court ordered desegregation planning, OKCPS has gradually slipped back into a state of re-segregation and struggles to maintain diverse student populations at all of its schools. The effects of *Dowell* (1991) are far reaching and seemed to play a major role in the relocation of JMHS.

Summary

This chapter described the findings and outcomes of the study. It analyzed participant voices close to the story of the relocation of JMHS. Participants witnessed the relocation of a major high school from one culturally significant area to another culturally significant area while the OKCPS adjusted attendance zones. Seven themes emerged from the review and analysis of participants' interviews and study documents, which were further confirmed by the researcher's personal reflections of the circumstances surrounding the relocation of JHMS. These seven themes are: (a) Segregated Neighborhoods, (b) Boundary Lines, (c) JMHS Relocation, (d) Specialty Schools, 5) Importance of Diversity, (e) Elite School, and (f) Community Meetings.

Chapter four then described the findings and outcomes of the study. Next, the guiding legal framework for the study, *BOE of OKCPS v. Dowell* (1991), was discussed in relation to the study's findings. Following the release of OKCPS from court ordered desegregation status in *Dowell* (1991), this chapter analyzed findings in connection to

the importance placed on student diversity when JMHS was relocated from one culturally significant community to another culturally significant area.

Chapter 5

Discussions, Conclusions/Implications, and Recommendations for Future Research

Introduction

In this chapter, the discussions, conclusions, implications and recommendations of the study will be presented. Conclusions/implications of the study are explained in correlation to current literature on existing student assignment and diversity plans. The chapter will then conclude with a chapter summary that discusses the study in relation to the future of school diversity within Oklahoma City Public Schools.

Discussion of the Study

Five years ago, John Marshall High School (JMHS) was relocated to provide a better learning environment for its students. Although, this move was not only controversial because of JMHS's relocation from one African American neighborhood/area to a predominantly Caucasian neighborhood/area, but relocation also resulted in an unintended consequence. Following the change in school boundary lines due to the new location of JMHS, some students were displaced to newly created Oklahoma Centennial High School, creating another segregated, racially isolated school. When JMHS students were displaced, creating an altogether different student body, discontentment and dissatisfaction with the District was rampant. Oklahoma City Public Schools (OKCPS) parents and community patrons experienced the relocation of JMHS with little opportunity to participate or to have a voice in the decisions surrounding it. Study participants admitted community meetings were both staged and unimportant to OKCPS administrators. Faced with a hostile minority community coupled with the minority student population being the largest of all student

populations, OKCPS responded to the communities' outcry to change the boundary lines to include more of JMHS's previous neighborhoods. They made efforts to modify attendance zones, allowing a greater number of minorities to become JMHS students at the new location. In lieu of *Board Of Education (BOE) of OKCPS v. Dowell* (1991), when OKCPS was released from court ordered desegregation planning, a lenient attitude towards pursuing major desegregation planning was observed. In lieu of this, Oklahoma City (OKC) community members felt that student diversity was not respected or appreciated by OKCPS.

Based on the findings in *BOE of OKCPS v. Dowell* (1991), the study confirmed that an abandonment or incomplete consideration of race was observed when JMHS was relocated from one culturally significant area to another culturally significant area. Since the decision to terminate judicial oversight was made by the Supreme Court in *Dowell* (1991), diversity strategies may have become lax. Historically, OKCPS had to demonstrate its efforts to integrate schools under court supervision. Now, no longer under court supervision, OKCPS has historically relied on busing and special programs in an effort to integrate its schools naturally. Its reliance on outside factors such as busing to integrate schools leaves it naturally open to eventual re-segregation, even with the ostensibly popular specialty school options that exist throughout OKCPS.

Additionally, attendance zones were modified displacing some students to an already segregated nearby Oklahoma Centennial High School. As OKCPS attempted to resolve community unrest about the changes in attendance zones, OKCPS again modified the attendance zones and included more but not all of the neighborhoods previously served by JMHS.

School student racial populations currently mirror those of the early stages of *Dowell* (1963-1991) in the 1960s and 1970s. Similar to other large cities such as the major cities of Chicago, Milwaukee, New York and the metro area of Hartford, Connecticut, OKCPS must also battle with concentrated areas of high residential segregation. The racially identifiable neighborhoods and communities of OKC existed in the initial case of *Dowell* (1963) and can be observed today. There seems to be little to no attention paid to this problem of re-segregated schools. Publicly, OKCPS did little to ensure residents of its intent or pursuit of a better solution. According to participant data, records, and observable statistical data there has been no public effort to focus singularly on the issue of student diversity specific to public schools. However, seemingly aware of its surrounding community needs, OKCPS did listen as the attendance lines were modified. New attendance lines included parts of segregated sections of the city not previously included. As a result, former students sent to Oklahoma Centennial High School upon JMHS relocation could now return. This new adjustment generated or induced a return of the school back toward educating close to the same racial student population as before. Thus, allowing the schools to both promote racial integration and secure an equitable, quality education for all of its students without regard to color.

However, some schools remain and have been historically segregated. Current trends suggest that OKCPS has begun to implement race neutral strategies in efforts to re-integrate its schools. OKCPS can ensure diversified schools when they place student integration at the forefront of any major school-based decision. The intention to create more specialty programs and schools within the OKCPS can be seen as a race neutral

strategy being studied now for its application into many more schools. This and many other race neutral strategies should be used by the OKCPS to not only desegregate its re-segregated high schools but its middle and elementary schools as well.

OKCPS has now instituted a large number of specialty high schools. Specialty high schools are schools that singularly focus on a specific industry or subject. Creating this type of situation allows natural integration and diversity to occur and flourish. OKCPS listened and responded to its community members and supporters by adjusting attendance zones in response to much community disagreement. As Horsford (2011) suggests, if administrators set their goals toward color consciousness instead of color blindness, they will begin to experience the rich environments that come from diverse environments, perspectives, resources and human capital:

> by building on the knowledge of the history of discrimination in U.S. education, the intended and unintended consequences of segregation and desegregation, and the struggle for equal education that determinedly and effectively has sought to 'Americanize America', we are better prepared than ever before to advance the true goal of meaningful integration-a community founded on mutual respect where we do not lose who we are, but share who we are (Edelman, 2008 as cited in Horsford, 2011, p. 110).

Contemporary Trends in Student Integration

Presently, race should not matter because of the past decisions in *Dowell* (1963), the reality is that it does indeed matter to the students of OKCPS and JMHS. As OKCPS has been released from court ordered desegregation planning, contemporary trends to promote student diversity within urban school districts have been noticed.

These contemporary trends either increase student integration within districts or increase racial isolation thus promoting or enabling re-segregation. The trends of suburban areas and achievement, minority administration increases, and schools of choice will now be explored for their application to OKCPS.

Suburban areas and achievement. A trend among large American cities is the migration of families out of the cities into the suburbs. In current society, increasing numbers of minorities are financially able to live in the suburban areas of our nation. Some community members and nationwide race experts attribute this movement to the suburbs as a natural change or because of student/parent choice. A natural change refers to the practice of numbers of students moving away from the larger, Oklahoma City area into the surrounding suburbs of OKCPS. Although, this may be somewhat the case in most large cities it does not take into account the damage done specifically after *Dowell* (1963). The racial makeup of JMHS's new community reflects a majority Caucasian with a minority population of African American and Hispanic populations. It should be noted that there exists a 3% overlap between those in OKCPS identifying as both Caucasian and Hispanic. Since Hispanic is actually a language group; the racial categories are not mutually exclusive. Increasing numbers of minority families in OKC are choosing to move to suburban areas in pursuit of a better education for their children. As research notes, residential integration begun as early as the 1960's and continues to occur today.

> Migration to suburbs began in the early 1900s and boomed in the post-World War II decades of the 1950s and 1960s. In 1968, Congress passed the Fair Housing Act, which sought to curb housing discrimination and required

affirmative action to further residential integration by communities (Tefera et al., 2011 p. 2).

The suburban areas of OKC are becoming more and more integrated as family incomes increase for minorities. They are able to move from the urban areas and establish themselves in the suburbs in pursuit of better schools. According to the Civil Rights Project of The University of Los Angeles, suburban schools are, "located in residential areas on the outside of metropolitan areas and, compared to many urban schools, often have higher standardized test scores, college going rates, and attendance rates" (Tefera et al., 2011,p. 1). High achievement scores attract families to suburban schools leaving behind the inner city urban schools. When numbers of higher socio-economic students exit to suburban Oklahoma, OKCPS is left to diversify groups of economically and often, racially un-diverse, students.

Due to this exodus of students from urban areas, suburban areas are becoming more and more diverse than ever before. Suburban cities such as Edmond and Putnam City in Oklahoma, once heavily occupied by Caucasians, are home to a growing number other races as well, including African Americans. Tables 8 and 9 are illustrations of the largest population of African Americans and Hispanic students in OKC and other surrounding suburban cities. According to the State of Oklahoma Department of Education School District Report Cards, the number of Hispanic students rose from 16% in 1997 to 41% in 2010 (www.sde.ok.gov). OKC, being an urban Midwestern city, has gone through a type of "White flight" (Orfield, 1996, p. 61) situation wherein Caucasian and a large number of African Americans have moved

from urban areas to the suburbs. Tefera, Frankenberg, Siegel-Hawley, and Chirichigno (2011) describe America's suburbs:

> The idyllic scenario of living in a neighborhood with perfectly manicured lawns, white picket fences and good schools is what Americans dream of, and the rapid suburbanization over the last several decades has been driven, in part, by the belief that this dream can be attained in the suburbs (p. 1).

This is a trend being experienced in many large cities across the nation. Metropolitan urban areas are characterized as places plagued with overcrowded schools, high crime, and family unfriendly settings. Conversely, suburban areas are characterized as places with higher college-going rates, higher quality schools, and family-friendly communities (Tefera et al., 2011).Twenty-first century families with school age children look especially to the suburbs when purchasing homes. Tables 8 and 9 illustrate this phenomenon of African American students moving away from OKCPS to the nearby suburban districts of Moore and Edmond in 1997 then again in 2010. These tables also depict how the Caucasian population has decreased from 1997-2010 in both the OKCPS and within the suburban school districts of Moore and Edmond.

Table 8

District Student Population by Ethnicity, 1997

	Caucasian	African American	Hispanic	Other
Oklahoma City Public Schools	36%	40%	16%	8%
Moore Public Schools	77%	4%	4%	15%
Edmond Public Schools	87%	5%	2%	5%

Table 9

District Student Population by Ethnicity, 2010

	Caucasian	African American	Hispanic	Other
Oklahoma City Public Schools	21%	30%	41%	8%
Moore Public Schools	66%	8%	11%	16%
Edmond Public Schools	74%	12%	5%	9%

When comparing the year 1997, six years after *Dowell* (1991) and the end of court-ordered desegregation planning, to year 2010, increases in diverse student population are certainly seen. While the suburban cities of Edmond and Moore have witnessed increases in their African American population, OKCPS has experienced an extraordinary increase of the Hispanic population paired with a decrease in the total district percentage of both the Caucasian and African American student population percentages. As seen in most major cities, minority populations are becoming more a

part of suburban America than ever before. While helping to spur suburban development and racial change in the suburban areas, urban school districts struggle to maintain a diverse student population.

Minority school administration increases. OKCPS has also recently greatly increased its numbers of minority board members and administrators. The current President of the OKCPS Board of Education is an African American. This move toward an administration more reflective of its student body increases minority communities' trust. A more diverse administrative body reflects a concern for all students. The administrative component of any school district must be able to relate to and understand its diverse student population. Important also, is the students' ability to be influenced by someone other than their teachers. The influence of a diverse group of people in higher administrative positions allows students to dream big and accomplish more. The Civil Rights Project of The University of Los Angeles states that for more than fifty years research has confirmed that strong leadership, equal status for group members in a given situation, cooperation, and shared goals help facilitate and achieve positive interracial relationships (Tefera et al., 2011).

The *Dowell* (1991) decision gave OKCPS permission to effect student integration without court assistance. With OKCPS's district wide increase in minority student attendance, OKCPS has employed a diverse group of administrators to better understand student needs. OKCPS has also made efforts to better diversify its administrative staff. The OKCPS board chairperson is an African American in addition to one other board member. This represents OKCPS's intent to move toward an environment that resembles its changing demographics.

Schools of choice. Another contemporary student integration trend is the creation of schools of choice within existing high schools. This allows every high school to offer a distinct, separate specialty program regardless of race. Student admission is based on ability among other factors. Students have an opportunity, after middle school, to enter into a high school offering the program of study they are most interested in pursuing post high school. Other curricular course offerings such as technology, sciences, and culinary arts are being analyzed for prompt implementation. Specialty schools coupled with fair admission requirements can lead to a natural desegregation of OKCPS's high schools. This is a step in the right direction. Natural diversity of schools is always more desirable than forced integration of schools.

Conclusions/Implications

JMHS students deserve to be educated in a heterogeneous environment with peers from every background. Moreover, as all participants in this study conclusively stated, they remain hopeful that diversity strategies will be implemented across the district. OKCPS has made mistakes in the past when JMHS was relocated and some students were displaced to other segregated schools. Although, OKCPS seems to be attempting to effectively handle the issue of student diversity. OKCPS is moving toward a more equitable, beneficial, and sustainable future. This study suggests that OKCPS has begun to place student diversity and integration in the forefront of decisions.

Purported by participants, school attendance lines were readjusted several times, each time taking more advantage of its minority sections it previously served with its new surrounding community to create a diversified mixture of students. Through careful

analysis and triangulation of all data, findings were conclusive that, although proactive diversity planning may have not taken place prior to JMHS's relocation, it did occur post-construction of the new site. Initial attendance/boundary lines were rechecked and adjusted to include more students from JMHS's previous community. This readjustment accounts for an increase in the African American population in 2009–2012. Education researchers nationwide attribute positive academic and social benefits for students of all racial backgrounds when there is opportunity for students to experience racial diversity in the classroom. The African American student population at JMHS should be regularly monitored due to the decrease seen post relocation. Student diversity is important and should be closely monitored in all OKCPS schools, *especially* in JMHS.

Three years after its move, JMHS's racial/ethnic composition is comparable to what it was before the move. The African American population now at 70% is approaching previous levels of 78% (African American student population in 2006–2007, the year before JMHS' move).

OKCPS has historically had inequitable schools and has had a poor reputation of maintaining equitable conditions in those schools. Many community and education leaders have fought hard to ensure equitable schools in OKCPS. Sadly, many of these same individuals have witnessed what they deemed surmountable challenges become seemingly insurmountable as racial isolation continued to manifest itself throughout many OKCPS schools. Sonya Douglass Horsford, a critical race theorist, states, "Whether a backward slide to segregation or maintenance of racial isolation in desegregated contexts, the goal of meaningful school integration where diverse

backgrounds and perspectives are accepted and respected remains elusive in most U.S. school systems and communities" (Horsford, 2011, p. 21).

While JMHS's relocation from one non-Caucasian area to a largely Caucasian area may seem unimportant or trivial, it is not. The relocation was found to be the cause of an unintended consequence- re-segregation at Oklahoma Centennial High School- when JMHS's attendance area changed and current students were displaced to a segregated school. JMHS currently holds a more racially balanced student population partly at the expense of the creation of the nearby segregated school, Oklahoma Centennial High School.

"Residential segregation and school assignment plans lead to high levels of school segregation, particularly for African Americans" (Acevedo-Garcia, McArdle, & Osypuk, 2010, p. 1). The relationship between residential and public school segregation may be explained through the contemporary trend of increasingly segregated residential patterns-particularly because of increasing residential segregation between school districts (Boger & Orfield, 2005). The unfortunate reality of urban schools nationwide is that residential segregation and the traditional assignment of students to schools based on geographic proximity/location are the underlying causes of school segregation (McArdle, Osypuk, & Acevedo-Garcia, 2010).

Not only can the change in the racial student makeup of JMHS from its former to current location be attributed to residential segregation, but it can also be seen as a retreat from active efforts to integrate. The Supreme Court ruling to release OKCPS from judicial oversight has made it easier to become lax with desegregation goals which results in a trend toward re-segregation as we have seen in OKCPS (Boger & Orfield,

2005). This is not only a trend noticed in Oklahoma City but across the nation as well. For example, urban school researchers, Charles Boger and Gary Orfield (2005, p.52) report:

> In school districts in Charlotte and Greensboro, North Carolina, and Tampa-St. Petersburg, Florida, public school segregation was low in 1990 as a result of effective desegregation plans but rose sharply in the 1990's as a result of a policy retreat from desegregation goals. If changes in segregation result from a retreat from active desegregation efforts in the wake of the *Dowell*, *Freeman*, and *Jenkins* decisions, we can expect more rapid increases in public school segregation in the future as federal courts declare more formerly segregated school districts "unitary" and release them from further judicial oversight.

OKCPS must continue to have the goal of student diversity at the forefront of all of its decisions. With a willing school board, policies and changes can occur which will positively influence and increase integration in JMHS and throughout the entire OKCPS District.

With the re-segregation of its schools and the relocation of JMHS from one racially and economically identifiable area to another (abandoning former students), it is a wonder if OKCPS truly understands the importance of educating students in diverse atmospheres. Diversity is important. It is important for student, teachers, and administrators. Among many other benefits, is diversity's effect on academic achievement, which was decreasing at the previous JMHS location.

Students aspire to be like their peers. If their peers are succeeding, most want to succeed also. Ultimately, students want to rise to meet high expectations, especially

when peers around them are rising and exceeding those expectations as well. There is no reason that lower achieving students in the same school, receiving the same instruction as other students, cannot model themselves after higher achieving peers and succeed as well.

Diversity does play a highly significant role when it comes to the successful education of students. Student diversity increases the occurrence of many student related factors as well as administrative factors. Student related factors are those factors such as varying levels of socioeconomic families, need of diverse staff to appropriately value diverse students, and the incorporation of a multicultural curriculum in schools. Administrative factors include factors such as increased funding, increased body of diverse teachers, and an increase in minority individuals who hold administrative positions. Increased funding for highly diverse schools is predicated on the designation of the school as a Title 1 school. Title 1 is a component of the Elementary and Secondary Act of 1965, which provides additional funds for schools wherein students with low socioeconomic status are educated. Typically, disadvantaged students qualify for free and/or reduced lunches provided onsite through their school cafeteria. An increased body of new teachers may proceed from the designation of Title 1 status. Teachers employed in Title 1 schools gain increased opportunities for federal government repayment of certain types of student loans.

Though specific to one school, this study is an effort to determine if student diversity was valued through the relocation of JMHS post *BOE of OKC v. Dowell* (1991). This study's data confirms that the dreams of the *Dowell* (1963-1991) court in terms of complete student integration have yet to be fully realized. OKCPS has become

re-segregated and has not made clear, initial efforts to ensure equitable, quality education for all of its students. There was no indication that there were any planning agendas aimed at ensuring the overpopulation of minorities at nearby Oklahoma Centennial High School. With being a new mid to high school (previously a middle school only), Oklahoma Centennial High School was undergoing changes itself. It is now a 6^{th}-12^{th} grade campus with a high minority student population. Concern about the additional students never seemed to emerge or be addressed by OKCPS. This overpopulation and/or overrepresentation issue at Centennial High School may be attributed to the redrawing of attendance lines one year after JMHS relocation.

OKCPS has struggled to assure its stakeholders of its intentions to provide a quality education for all of its many students. It must now take responsibility for the past vestiges of discrimination and strive to repair those damaged community feelings of mistrust with the school district. OKCPS must faithfully be both proactive in setting up schools for successful integration and proactive in examining then fixing the schools that are re-segregated.

In summary, this study is an effort to understand the reasons behind the decision to relocate JMHS. OKCPS looks to be headed in the right direction in terms of increased student integration and a decrease in student segregation. The change is evident with the creation of schools of choice or specialty high schools, demographically smarter attendance zones, and an administration that OKCPS students can look up to (because of similarities in culture and/or race). OKCPS can be the model school district of America. Being in the heart of OKC, OKCPS can draw on numerous surrounding communities to achieve better racial integration.

This study confirms that the number of African American students attending JMHS prior to relocation differs from the number of African American students post-relocation. All participants seemed to agree on the re-segregation of OKCPS. Equitable education in OKCPS is assuredly inadequate and decades of re-segregation suggest historically disenfranchised minority communities have been disillusioned and manipulated into accepting an illusion of progress. OKCPS patrons have been forced for decades into believing that segregated schools are a natural effect of segregated neighborhoods thus residential choice. This belief, perpetuated by administrators not interested in change, was entrenched into the minds and beliefs of OKCPS patrons for too long. JMHS can be the first of many schools to exemplify integration. It can be the model for all OKCPS schools that remain re-segregated. Now is the time for change. As the number of minority students in OKCPS continues to increase, OKCPS must find ways to dismantle the vestiges of segregation and stilted attempts at desegregation learn from the ideals *Dowell* (1963) and advance the virtues of true student integration.

Transferring the results of this study may prove to be difficult because of the uniqueness of the initial *Dowell* (1963) case. Although, the transferability of the issue—school integration within a district previously released from court-ordered desegregation—would be more applicable since OKCPS has been in much litigation for maintaining segregated schools in the past. Additional research is needed to validate if the findings of the study are replicable through the concept of school integration and diversity.

Guidance from *Parents Involved in Community Schools v. Seattle School District No. 1* (2007) *and Meredith v. Jefferson County Board of Education* (2007)

In review of the 2007, voluntary desegregation *Seattle/Louisville* (2007) decisions, OKCPS can do the following three things to ensure equitable, quality education for all students: provide free student transportation, adjust school attendance zones, and create magnet/specialty schools.

Free student transportation. First, transportation has been logistically used by many school districts to diversify their schools. Given the strong link between OKC's segregated neighborhoods and its segregated schools, access to free transportation historically, has been—and remains—a fundamental component of desegregation efforts (Tefera et al., 2011).

Adjustment of school attendance zones. Secondly, districts may design attendance zones intentionally to draw students from different parts of the district to particular or specific schools. In additional efforts to pursue diversity, districts should consider racial and economic characteristics of students. The attendance zones of JMHS have remained the same since its creation in 2006. For other schools in the OKCPS district, this time has been much longer. Some schools have had the same attendance areas for many years with no changes or updates.

Magnet and specialty schools. Thirdly, the creation of specialty/magnet schools can also increase a diversified student body in some instances. This can be seen in some of OKCPS specialty schools currently. Historically focused on desegregation efforts, today's specialty schools prioritize a strong academic curriculum to attract students of any color to attend the school. This prioritization on a strong curriculum can

leave an unintended consequence of inequity. While the best and brightest students tend to apply to specialty/magnet schools, other lower achieving students are left in the neighborhood public school. However, transportation can be a key component of specialty or magnet schools; specifically to ensure that everyone who chooses what might be out-of-neighborhood-schools are able to attend. As a result, specialty/magnet schools providing free transportation are less likely to be racially isolated. With their ability to draw students across attendance lines and district boundaries, magnet schools present real possibilities for integration (Tefera et al., 2011). As an answer to segregation/diversity in high schools, specialty schools are popular among many large urban school districts. OKCPS is home to the specialty school —Classen School of Advanced Studies. As a specialty school (one requiring admission qualification/criteria), it is a prime example of a working and diversely integrated specialty school. Its program of advanced classes is appealing to all students, students of any race, color, or ethnic group. As long as the criteria for admission are met, admission is granted. These types of schools provide a program of interest for students seeking more than just an ordinary high school experience. This allows them to choose an area of study now rather than waiting until their college days begin. Students receive preliminary training in a field in which they could potentially have as a career. Other specialty schools in OKCPS are the Dove Science Academy, Belle Isle Enterprise, and Pathways Middle College, but may not be all racially balanced.

Implications

Greater student diversity is an important goal for the school districts of today. Along every measure of segregation, African American students have experienced

setbacks in gains made during the desegregation era- post *Brown* (Frankenberg & Siegel-Hawley, 2012). Moreover, segregation levels remain lowest for African American students in the South when compared to other regions (Frankenberg & Siegel-Hawley, 2012). School districts have the perfect opportunity to appreciate and learn from the enrichment of school climate brought by attention to greater student integration. Implications for school districts and students present advantages and benefits for all community members.

Implications for school districts. As changes in school segregation are attributable to changes in residential segregation, school districts like OKCPS must collaborate with local and State agencies in achieving a more racially balanced school and/or neighborhood population. Organized community and State efforts to support and maintain integrated communities and to oversee closely or provide consequences for residential discrimination in home sales, home rentals, and mortgage financing can additionally support diverse environments. The following are OKC specific recommendations for helping to create an atmosphere of respect for diversity within JMHS or the larger OKCPS. As JMHS exists within OKCPS, implementation of any of these suggestions in turn, will affect JMHS as well. The following strategies are:

- Utilize OKCPS school regions to assist with diversity zoning of schools.
- Utilize the 77 counties in Oklahoma to create a Diversity Consortium Collaboration Team to monitor racial student population.
- Encourage smaller counties to merge, thus forming larger school districts that are more diverse.

- Utilize socio-economic factors, race, ethnicity, and education attainment of parents in a new student assignment plan.
- Analyze and expand busing routes/plans to provide bus transportation to all students.
- State and community public officials should call for school integration plans on how to gain increased integration effectively through the readjustment and/or combining of some of Oklahoma's 77 counties. Incentives for the combining of two small counties into one larger county creating a reduction in the number of school districts in Oklahoma.
- Community leaders and activists of OKC should commit themselves to provide leadership and/or voluntary guidance in efforts to maintain integrated, equitable public schools in every community/neighborhood of OKC, Oklahoma.

Implications for students. "Research affirms that integrated schools have academic, social, and psychological benefits for all students" (Tefera et al., 2011, p.4). Research has demonstrated that the benefits of an integrated school promote success for all students. Racially integrated student bodies are integral in preparing students to be successful members of our global society. Students, in racially isolated schools, do not receive the academic, social, and psychological benefits associated with being in an integrated community of learners.

Academic benefits. Research shows that "African American and Latino students perform better in integrated schools than in schools with higher percentages of students of color" (Tefera et al., 2011, p.4). "Social Science research suggests that clear

educational benefits result from racial and ethnic integration and diversity in K-12 public schools" (Boger & Orfield, 2005, p. 248). Research has demonstrated an increase in student achievement when students are in classes where there is a diverse student body (Boger & Orfield, 2005; Frankenberg, 2007; Orfield, 1996; Tefera et al., 2011).

As research has uncovered the benefits of diversity to African American students, it must also be noted that racially isolated schools may cause harm to African American students. Test scores of Caucasian students attending racially diverse schools are not positively or negatively affected when a school is diverse and not racially isolated. Race experts have found that desegregation programs have little or no negative effect on Caucasian students' test scores (Tefera et al., 2011).

OKCPS may have aspired to avoid these harms and to create a more diverse JMHS. Five years after relocation, JMHS remains majority African American. It also now has an increased Hispanic student body, which adds to its segregated status. The academic benefits for JMHS students in the form of higher test scores, student achievement, and increased graduation rates can be positively affected by a more integrated JMHS student body.

Social benefits. There are also social benefits represented by integrated schools. Desegregated schools increase social interaction, comfort levels, and friendships among peers of different racial and ethnic backgrounds and promote civic engagement across racial lines (Boger & Orfield, 2005). Racially integrated schools are associated with a reduction in racial stereotypes and assist with understanding students of all races (Tefera et al., 2011). Through increasing tolerance and awareness of other races, JMHS students can learn to better appreciate fellow students. The social benefits associated

with a further integrated JMHS are long-term benefits. The learned social benefits that come from learning within a greater integrated environment assists in encouraging students to better recognize integrated environments beyond high school, increasing the awareness of diversity within the larger society (Tefera et al., 2011).

Psychological benefits. Lastly, in addition to the academic and social benefits greater school integration can offer JMHS students psychological benefits. Psychological benefits due to greater exposure to others of different cultures refer to a heightened sense of safety. Students educated in greater cultural diverse environments would not be as afraid of other races or cultures that they could encounter in life. This feeling of safety produces a more productive learning environment (Tefera et al., 2011). Students who encounter positive psychological interactions with their environment often experience greater academic successes (Tefera et al., 2011).

All JMHS students deserve the benefits that come from learning in a greater diverse environment. With the relocation, JMHS students are more integrated than in their previous location, which had a greater African American student population than currently. The percentage of the Caucasian population has continued to increase while the percentage of the African American students has continued to decrease. Although, with its African American population slowly decreasing from its first year post relocation, JMHS now has to ensure that its African American population does not go overlooked. African American students along with Caucasian and Hispanic populations must be valued as a whole, thus creating a racially mixed high school. Thus, because of its relocation and adjustment of its attendance lines, OKCPS must ensure that these percentages remain an important factor in the future of JMHS. As OKCPS experiences

student migration to the nearby suburban neighborhoods, policies and plans must be in place to ensure suburban areas do not witness what urban school systems have witnessed, a re-segregation of schools. JMHS administrators must strive to ensure an appreciation of diversity within the culture of JMHS. Administrators must pledge to maintain and advance a greater integrated and equitable school environment. The rewards for JMHS current and future students are indeed valuable.

Recommendations for Future Research

Inherent to large, urban school districts, the issue of school integration and re-segregation (segregation occurring after desegregation attempts have been attempted in the past) is a nationwide issue. School segregation occurring because of residential segregation is a serious issue. Influencing private choices of individuals to reside in certain racially isolated neighborhoods continues to plague America's cities (Boger & Orfield, 2005).

One way OKCPS attempts to decrease the largeness of its district is through the creation of smaller regions. As a large urban school district of almost 100 elementary, middle and high schools, OKCPS is currently divided into seven regions according to feeder high schools. These regions each consist of one or more high schools along with all of its concurrent feeder elementary and middle schools. The regions are Capitol Hill High School, Douglass High School, JMHS, Star Spencer High School, Oklahoma Centennial High School, Grant High School, and Northwest Classen High School. The regions called feeder schools during the relocation of JMHS in 2006-2007, then numbered six excluding Oklahoma Centennial High School, which were within the John Marshall High School feeder school structure at the time. These regions can be

referred to in a comprehensive and systemic way to organizationally plan for increases among racial, ethnic, and economic diversity lines among the students in attendance among these regions.

As described earlier in this chapter, the strategies endorsed for addressing school desegregation by Justice Kennedy in the *Seattle/Louisville* (2007) cases provide contemporary guidance to integrate schools voluntarily. OKCPS should look to these voluntary integration methods in designing and implementing effective strategies that promote racial diversity and can provide academic and social benefits to students and the larger society (Tefera et al., 2011). OKCPS like many other large urban districts have experienced a continuum of school diversity challenges. With the final goal of a diverse student body, OKCPS through JMHS must ensure that strategies and efforts align with this final goal.

The appreciation of true student diversity would indefinitely improve race relations within JMHS, OKCPS, and the larger community of OKC. The creation of a diverse student body through the consideration of either a race conscious or race neutral policy provides that students feel appreciated and valued regardless of their race or location. Contemporary school integration policies, such as race conscious or race neutral policies focus on what school districts can do about school segregation instead of attributing it to residential segregation. It allows districts to focus on meeting all students' needs regardless of their particular neighborhood location. The United States Department of Education has recently suggested various race neutral or race conscious methods in efforts to create a diverse school atmosphere. This guidance followed the Supreme Court school desegregation decisions of *Parents Involved in Community*

Schools v. Seattle School District No. 1(2007), finding involuntary school integration policies unconstitutional.

In December 2011, because of requested guidance from American public elementary and secondary schools on clear solutions to take in creating a diverse student body, the United States Department of Education issued the much-needed guidance on ways to increase student diversity effectively. The guidance explicates numerous examples school districts can consider in an effort to further increasing diversity and reducing student body racial isolation within schools. One suggestion offered by the Department of Education, specifically related to this study, involves the "siting" or relocating of new or existing schools. The Office for Civil Rights states that school "siting" (relocation) decisions can be made to assist in pursuing greater student body diversity (Tefera et al., 2011). Schools can relocate existing segregated schools to more diverse areas, which will lead to a more diverse student body. Naturally, factors such as transportation costs, geographic needs, construction costs, and projected student body enrollment, would need to be thoroughly analyzed. Though involving much greater factors, the relocation of new and existing school sites could ultimately lead to a more integrated student body. It is with this new guidance from the United States Department of Education that OKCPS can promote racial diversity and avoid re-segregation within JMHS. Thus couched within the limitations found in the efforts of voluntary school integration within the *Seattle/Louisville* (2007) cases, JMHS can serve as a model for relocating a school in attempts at greater student diversity when the aspects of the plan include certain aspects. Particularly as Rossow, Connery, and

Schmitt (2007) state, Justice Kennedy outlined aspects of a workable race conscious student assignment plan and that it should show :

1. Include strategic geographic location of new schools;
2. Draw attendance zones with particular attention to the demographics of neighborhoods;
3. Allocating funds for special programs;
4. Recruiting students and staff in a diversity specific way;
5. Tracking enrollments, performance data, and other race specific categories. (*Parents*, 2007, p. 2828, as cited in Rossow, Connery, & Schmitt, 2007).

Further school integration research may be needed in order to balance the racial student body at JMHS, improve race relations within the JMHS and OKCPS communities, and adopt standard policies on handling student diversity when schools are relocated from one area to another. Three reasons exist which illustrate the need for oversight and attention to student integration within JMHS. First, the African American student body at JMHS has steadily declined from school year 2005- 2006 (opening of the new JMHS) to school year 2010- 2011 (with the exception of one school year), from 79% to 70%. The Caucasian student population has increased during this same period from 13% to 16% (with the exception of one school year). With the coupling of a decreasing African American student body and an increasing Caucasian student body, after *BOE of OKCPS v. Dowell* (1991) removed OKCPS from court ordered desegregation planning, factors causing this phenomenon at JMHS may require further research. Secondly, due to unresolved feelings of abandonment, when JMHS was

removed from the African American community in which it previously resided, race relations within the communities of both JMHS and OKCPS may need to be analyzed. JMHS may need to ensure its stakeholders and community members that it truly respects and appreciates student diversity by publicly adopting a district wide comprehensive student integration policy. Thirdly, school integration research may be needed to appropriately analyze every aspect of diversity when decisions are made to relocate schools like JMHS from one culturally significant area to another culturally significant area.

Chapter Summary

JMHS is a part of a large growing number of schools in the nation struggling with student integration within an urban school district. Relocation of a school to a culturally/ethnically different neighborhood can be controversial and can lead to much speculation regarding the cause of relocation, if not planned out both strategically and with much community support. Prior to its relocation, JMHS was a highly segregated and economically disadvantaged school. It had a combined minority population (African American and Hispanic) of 85%. JMHS, for the school year 2010-2011 had a combined minority population of (African American and Hispanic) 79%. Further research may be necessary to analyze student race in JMHS to ensure it maintains a diverse student population without becoming a single race school.

Chapter 5 provided a generalized look into the issues of the study compared with district exemplars of school diversity and similar school integration situations across the United States. It began with a discussion on school diversity followed by conclusions/implications and recommendations. The chapter also discussed descriptions

and solutions to increase voluntary student diversity in schools and what implementation of these contemporary policies mean for school districts and students. As a concluding chapter to the dissertation, this chapter discussed issues on the future of OKCPS and JMHS in terms of school integration. It acknowledges JMHS's transition to a new location as a possible strategy to increase student diversity. Attaining greater student diversity remains an issue for JMHS, as the minority student population remains significantly more than half of the total student population. Unfortunately, this phenomenon is not only being experienced by JMHS, but also happening in schools nationwide in many other large urban districts. Striving for greater student diversity is a worthwhile endeavor for successful living in our ever-shrinking global society.

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Appendix A

Description of Study Protocol

University of Oklahoma – Norman Campus

Institutional Review Board

Description of Study Protocol

1. Describe the research design of the study.

The study is designed to analyze school segregation through the judicial lens of the landmark case Dowell v. Oklahoma City Public Schools. It sets its focus on the relocation of John Marshall High School and its move from one significantly culturally identifiable area to another significantly culturally identifiable area. Particularly, the study will investigate the relocation of John Marshall High School, in regards to its impact on school segregation.

2. Describe the recruitment procedures. Attach a copy of any material used to recruit subjects (e.g., informed consent forms, advertisement, flyers, telephone scripts, verbal recruitment scripts, cover letters, etc.) Explain who will approach potential participants to request participation in the research study and what will be done to protect the individual's privacy in this process.

It is my intent to have one participant from the current staff at John Marshall High School, two Oklahoma City Public School Board Members, and one local community leader. Participants for this research study will be contacted personally for consent to be interviewed by the Principal Investigator of the study, Tamia Moaning-Norris. Individual personal information will be

accessible only to the principal investigator and faculty sponsor. Individuals will be contacted due to their knowledge and involvement/role with the relocation of John Marshall High School. Their contact information will come from public sources such as local phone book, the Internet or listed phone directory. Individuals will be asked to complete an informed consent form. Data will be collected for purposes of information only and personal information will not be reflected on interview question responses. Participants will be identified by pseudonyms only and records will be kept confidential and maintained in a locked document case within the researchers' home office. Upon completion of the study, interview documents will be destroyed via shredding.

3. Below, list and describe the tasks that participants will be asked to perform, including a step-by-step description for each procedure you plan to use with your subjects. Provide the approximate duration of subject participation for each procedure.

Participants will be asked to complete an informed consent form after an initial phone contact and the initial agreement to participate in the study. A structured telephone script will be used when contacting potential participants. Upon agreeing to participate in the study, participants will then be asked to schedule an interview time with the principal investigator. The interview may take about one hour to one and one half hours to complete, with follow up time scheduled as needed. It is my intent to complete the interview and any needed follow-up discussions for clarification within 7-14 days of the initial interview date.

4. Describe your data collection procedures. If data collection instruments will be used indicate the time necessary to complete them, the frequency of administration, and the setting in which they will be administered, such as telephone, mail, or face-to-face interview. (You must submit a copy of each study instrument, including all questionnaires, surveys, protocols for interviews, etc.)

A set of interview questions will be administered to each participant. The same questions will be asked to each participant. Interview questions are attached. Initial interviews are anticipated to be one hour to one and one half hours with any additional follow up time to be scheduled for clarification/continuance as needed.

5. Provide background information for the study including the objective of the proposed research, purpose, research question, hypothesis and other information deemed relevant. Include up to 5 references from the literature.

The purpose of this study is to determine if the effect, based on the findings of school segregation in the Dowell case, of the relocation of John Marshall High School from a predominantly Black area to a predominantly White area represents new intent to segregate students by the Oklahoma City Public Schools (OKCPS). The general research hypothesis is OKCPS has, intentionally or non-intentionally, returned back to the segregated days of the Dowell case. Stated in null form: HO1: There is no significant relationship between the outcomes and judicial decisions of the Dowell case and current day segregation within the OKCPS. HO2: There is no significant relationship between the community perceptions of the OKCPS district pertaining to the

relocation of John Marshall High School in contrast or comparison to the community perceptions of the district during the Dowell case litigation. HO3: There is no significant relationship between how the OKCPS of the 1960's was integrated and current day integration of the OKCPS. The study will investigate three research questions: 1. Is the current re-segregation of the OKCPS an unintended consequence or gradual result of the district being released from court-ordered desegregation planning in *BOE of OKCPS v. Dowell* (1991)? 2. What types or kinds of desegregation data were used to identify a good geographic location for the placement of John Marshall High School to ensure cultural diversity? 3. How can OKCPS ensure that all students can enjoy a diversified, quality education in the future?

Appendix B

Telephone Recruitment Script for Participants

Project Title: Present Day Implications of the School Desegregation Decision in Dowell v. Oklahoma City Public Schools

Principal Investigator: Tamia Moaning-Norris

Telephone Recruitment Script for Potential Volunteers

1. Greeting and brief background of self as student/researcher:
    a. Hello, my name is Tamia Moaning-Norris. I am a student researcher at the University of Oklahoma in pursuit of my Executive Doctorate in Education, Ed. D. in the area of Education Administration, Curriculum and Supervision. As a requirement of this degree, I am conducting a research study.
2. Tell individual what the study is about: (Purpose of Research)
    a. The purpose of my research study is to find out more information concerning decisions made for the relocation of John Marshall High School and its move from a predominantly Black area to a predominantly White area and its segregate effects.
3. Purpose of the Contact and Participant Involvement in the study:
    a. I am contacting you asking for your willingness to participate as a volunteer in this study in which you will be asked a series of interview questions.

b. The length of time for participation will be 1 hour to 1 and ½ hours with possible follow up for clarification, if needed and agreed to mutually.

4. Explain qualifications of self as researcher to carry out the study:
    a. I am the Principal Investigator in this study and am working in conjunction with my University of Oklahoma Faculty Sponsor and Doctoral Committee Chair, Kathrine Gutierrez and under the guidelines of the University of Oklahoma Institutional Review Board. I am responsible for conducting the study under their direction and supervision.
5. Ask if willing to participate:
    a. Your participation is voluntary and all responses will be kept strictly confidential. Responses will only be shared with my Faculty Sponsor/Doctoral Committee Chair, Kathrine Gutierrez. Pseudonyms will be utilized in the place of personal identifiers in the manuscript of the study.
    b. Your participation would be so greatly appreciated in this important research study.
    c. Are you willing and available within the next two weeks to participate in answering interview questions for this study?
6. If yes, willing to participate, ask:
    a. At what time and day would you like to set up a time for the study interview? Note to self and potential participant: Interview location will depend on participant location and access to participant. (i.e., If OKCPS

Board Member, location will be arranged to take place at the OKCPS Administrative Offices, other locations for other potential participants will be mutually determined at time of agreement to participate and verbal coordination of the interview date and time.)

7. If no, person will be thanked for their initial consideration of the request to participate in the study.

   Thank you for your consideration of my request to participate in my study and have a fantastic day.

Appendix C

Informed Consent Form

University of Oklahoma

Institutional Review Board

Informed Consent to Participate in a Research Study

Project Title:	Present Day Implications of the School Desegregation Decision in Dowell v. Oklahoma City Public Schools
Principal Investigator:	Tamia Moaning-Norris
Department:	Department of Educational Leadership and Policy Studies; Education Administration, Curriculum and Supervision Program

You are being asked to volunteer for this research study. You were selected as a possible participant because of your knowledge/experience in the relocation of John Marshall High School. Please read this form and ask any questions that you may have before agreeing to take part in this study.

Purpose of the Research Study:

The purpose of this study is to find out more concerning decisions made for the relocation of John Marshall High School and its move from a predominantly Black area to a predominantly White area and its segregate effects.

Number of Participants:

About 4-8 people will participate in this study.

Procedures:

If you agree to be in this study, you will be asked to do the following: Answer 7-8 questions in a research study atmosphere.

Length of Participation:

Length of time for participation will be 1 hour to 1 and ½ hours with possible follow up for clarification, if needed and agreed to mutually.

This study has the following risks:

There should be no risks for participation in the study.

Benefits of being in the study are: None

Risks: None

Confidentiality:

In published reports, there will be no information included that will make it possible to identify you without your permission. Research records will be stored securely and only approved researchers will have access to the records. Pseudonyms will be used in reviewing interview contact/personal information. Data will be destroyed at the completion of the study. There are organizations that may inspect and/or copy your research records for quality assurance and data analysis. These organizations include the study faculty sponsor, Dr. Kathrine Gutierrez, and the OU Institutional Review Board.

Compensation:

You will not be reimbursed for your time and participation in this study.

Voluntary Nature of the Study:

Participation in this study is voluntary. If you withdraw or decline participation, you will not be penalized or lose benefits or services unrelated to the study. If you decide to participate, you may decline to answer any question and may choose to withdraw at any time.

Waivers of Elements of Confidentiality:

Your name will not be linked with your responses unless you specifically agree to be identified. Please select one of the following options:

_____ I consent to being quoted directly.

_____ I do not consent to being quoted directly.

_____ I consent to having my name reported with quoted material.

_____ I do not consent to having my name reported with quoted material

Audio Recording of Study Activities:

To assist with accurate recording of participant responses, interviews may be recorded on an audio recording device. You have the right to refuse to allow such recording without penalty. Please select one of the following options.

I consent to audio recording. ___ Yes ___ No.

Contacts and Questions:

If you have concerns or complaints about the research, the researcher(s) conducting this study can be contacted at 405-443-9066, T.Moaning-Norris@ou.edu to reach Tamia

Moaning-Norris. Faculty Advisor, Kathrine Gutierrez can be reached at 405-325-0549, kjgutierrez@ou.edu.

Contact the researcher(s) if you have questions or if you have experienced a research related injury. If you have any questions about your rights as a research participant, concerns, or complaints about the research and wish to talk to someone other than individuals on the research team or if you cannot reach the research team, you may contact the University of Oklahoma – Norman Campus Institutional Review Board (OU-NC IRB) at 405-325-8110 or irb@ou.edu.

You will be given a copy of this information to keep for your records. If you are not given a copy of this consent form, please request one.

Statement of Consent: I have read the above information. I have asked questions and have received satisfactory answers. I consent to participate in the study.

Signature Date

Appendix D

Participant Interview Questions

Project Title: Present Day Implications of the School Desegregation Decision in Dowell v. Oklahoma City Public Schools

Principal Investigator: Tamia Moaning-Norris

Interview Questions

Introduction: In the *Dowell v. Oklahoma City Public Schools* case, begun in 1968, Dr. Dowell challenged the practice of assigning students to schools based on their color. In 1968, Oklahoma City Public Schools (OKCPS) was charged with operating a dual school system and was court ordered to make plans to desegregate their schools. In 1978, Oklahoma City Public Schools fulfilled this order thus releasing them from court ordered desegregation planning.

1. What are your opinions on how to achieve and maintain racially balanced schools in today's public schools?
2. Do you think the Oklahoma City Public Schools are racially balanced? Explain.
3. What are your thoughts on the decision to relocate John Marshall High School from its previous location to its current location?
4. What were (in initial discussions and plans) and are now the benefits/advantages of John Marshall's new community/location as opposed to its former community/location?
5. Were the attendance lines redrawn within the OKCPS with the addition of a new location for John Marshall? Explain.

6. What types of decisions/considerations were discussed during the planning stages of this school's relocation?
7. How high in importance should diversity play in administrative decisions when school leaders build new schools or relocate existing schools? Why?
8. Are there any documents or any particular person(s) that you would recommend that could shed additional light or add anything helpful related to the purpose of this study?

Conclusion: Thank you for your time and participation in this study. I may be contacting you for follow-up information, clarification, if needed within the next few days.

Appendix E

Institutional Review Board Study Approval Letter

The University of Oklahoma

OFFICE FOR HUMAN RESEARCH PARTICIPANT PROTECTION

IRB Number: 12873
Approval Date: June 17, 2010

June 22, 2010

Tamia Mosining-Norris
Educational Administration
820 Van Fleet Oval, ECH 227
Norman, OK 73019

RE: Present Day Implications of the School Desegregation Decision in Dowell v. Oklahoma City Public Schools

Dear Mosining-Norris:

On behalf of the Institutional Review Board (IRB), I have reviewed and granted expedited approval of the above-referenced research study. This study meets the criteria for expedited approval category 6 & 7. It is my judgment as Chairperson of the IRB that the rights and welfare of individuals who may be asked to participate in this study will be respected; that the proposed research, including the process of obtaining informed consent, will be conducted in a manner consistent with the requirements of 45 CFR 46 as amended; and that the research involves no more than minimal risk to participants.

This letter documents approval to conduct the research as described:

IRB Application Dated: June 15, 2010 Revised
Survey Instrument Dated: June 04, 2010 Interview Questions - Revised
Other Dated: June 04, 2010 Telephone Recruitment Script
Protocol Dated: June 04, 2010 Revised
Other Dated: May 07, 2010 Site Support Letter - OKC Public Schools
Consent form - Subject Dated: April 06, 2010

As principal investigator of this protocol, it is your responsibility to make sure that this study is conducted as approved. Any modifications to the protocol or consent form, initiated by you or by the sponsor, will require prior approval, which you may request by completing a protocol modification form. All study records, including copies of signed consent forms, must be retained for three (3) years after termination of the study.

The approval granted expires on June 16, 2011. Should you wish to maintain this protocol in an active status beyond that date, you will need to provide the IRB with an IRB Application for Continuing Review (Progress Report) summarizing study results to date. The IRB will request an IRB Application for Continuing Review from you approximately two months before the anniversary date of your current approval.

If you have questions about these procedures, or need any additional assistance from the IRB, please call the IRB office at (405) 325-8110 or send an email to irb@ou.edu.

Cordially,

Aimee Franklin, Ph. D
Vice Chair, Institutional Review Board

660 Parrington Oval, Suite 316, Norman, Oklahoma 73019-3075 PHONE: (405) 325-8110 FAX (405) 325-2373

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