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Policy Analysis

MONEY AND SCHOOL PERFORMANCE

Lessons from the Kansas City Desegregation Experiment

by Paul Ciotti

Executive Summary

For decades critics of the public schools have been saying, "You can't solve educational problems by throwing money at them." The education establishment and its supporters have replied, "No one's ever tried." In Kansas City they did try. To improve the education of black students and encourage desegregation, a federal judge invited the Kansas City, Missouri, School District to come up with a cost-is-no-object educational plan and ordered local and state taxpayers to find the money to pay for it.

Kansas City spent as much as $11,700 per pupil--more money per pupil, on a cost of living adjusted basis, than any other of the 280 largest districts in the country. The money bought higher teachers' salaries, 15 new schools, and such amenities as an Olympic-sized swimming pool with an underwater viewing room, television and animation studios, a robotics lab, a 25-acre wildlife sanctuary, a zoo, a model United Nations with simultaneous translation capability, and field trips to Mexico and Senegal. The student-teacher ratio was 12 or 13 to 1, the lowest of any major school district in the country.

The results were dismal. Test scores did not rise; the black-white gap did not diminish; and there was less, not greater, integration.

The Kansas City experiment suggests that, indeed, educational problems can't be solved by throwing money at them, that the structural problems of our current educational system are far more important than a lack of material resources, and that the focus on desegregation diverted attention from the real problem, low achievement.

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The Kansas City Story

In 1985 a federal district judge took partial control over the troubled Kansas City, Missouri, School District (KCMSD) on the grounds that it was an unconstitutionally segregated district with dilapidated facilities and students who performed poorly. In an effort to bring the district into compliance with his liberal interpretation of federal law, the judge ordered the state and district to spend nearly $2 billion over the next 12 years to build new schools, integrate classrooms, and bring student test scores up to national norms.

It didn't work. When the judge, in March 1997, finally agreed to let the state stop making desegregation payments to the district after 1999, there was little to show for all the money spent. Although the students enjoyed perhaps the best school facilities in the country, the percentage of black students in the largely black district had continued to increase, black students' achievement hadn't improved at all, and the black-white achievement gap was unchanged.[1]

The situation in Kansas City was both a major embarrassment and an ideological setback for supporters of increased funding for public schools. From the beginning, the designers of the district's desegregation and education plan openly touted it as a controlled experiment that, once and for all, would test two radically different philosophies of education. For decades critics of public schools had been saying, "You can't solve educational problems by throwing money at them." Educators and advocates of public schools, on the other hand, had always responded by saying, "No one's ever tried."

In Kansas City they did try. A sympathetic federal judge invited district educators literally to "dream"--forget about cost, let their imaginations soar, put together a list of everything they might possibly need to increase the achievement of inner-city blacks--and he, using the extraordinarily broad powers granted judges in school desegregation cases, would find a way to pay for it.

By the time the judge took himself off the case in the spring of 1997, it was clear to nearly everyone, including the judge, that the experiment hadn't worked. Even so, some advocates of increased spending on public schools were still arguing that Kansas City's only problem was that it never

got enough money or had enough time. But money was never the issue in Kansas City. The KCMSD got more money per pupil than any of 280 other major school districts in the country, and it got it for more than a decade. The real issues went way beyond mere funding. Unfortunately, given the current structure of public education in America, they were a lot more intractable, too.

An Average American City

Unlike New York or Los Angeles, Kansas City has a low-key, sleepy feel to it. There's no sense of pounding humanity on the downtown streets or even much in the way of traffic congestion. The poorer residential areas have a strangely depopulated feel to them. Some old tree-lined streets have three or four fading frame houses in a row followed a series of concrete steps leading to grassy vacant lots where houses once stood. In downtown Kansas City there are skyscrapers and even a new convention center (it looks like a cross between a Mississippi River steamboat and the Brooklyn Bridge), but overall, expectations are modest and so are ambitions. It is not surprising that Kansas City, which sits in the middle of the country, has an average amount of culture, an average amount of poverty, and an average amount of crime. What it didn't have by the late 1970s was an average number of good schools. In the three decades following the Supreme Court's 1954 decision in Brown v. Board of Education, which banned separate-but-equal schools, white flight totally reversed the demographics of the KCMSD--enrollment slowly declined from 70,000 to 36,000 students, and racial composition went from three-fourths white to three-fourths nonwhite (mostly blacks, with small percentages of Hispanics and Asians).[2]

As whites abandoned the schools, the school district's ability to raise taxes disappeared. The last year that the voters approved a tax increase for the schools was 1969, the same year that blacks first became a majority. Over the next two decades, the voters of the district declined to approve a tax increase for the school district 19 times in a row.[3]

After middle-class whites pulled their children out of the school district, leadership declined. It was hard to find people to run for the school board. Those who did run tended not to be particularly sophisticated, usually earned

less than $30,000 a year, and had difficulty dealing with complex financial issues.[4]

With neither adequate leadership from the school board nor sufficient funding from taxpayers, the school system basically collapsed--test scores plummeted, assaults rose, the good teachers either burned out or accepted better offers elsewhere. By the time the plaintiffs (originally, schoolchildren and the school district itself) filed suit against the state of Missouri in 1977, wooden windows in the school buildings had rotted to the point where panes were literally falling out, ceiling tiles were coming down, and the halls reeked of urine. There were exposed electrical boxes, broken lights, crumbing asbestos falling from over-head pipes, nonworking drinking fountains, and rainwater running down the stairwells. Textbooks were decades out of date, with pages missing and the covers torn off. Emergency doors were chained shut. Boilers were so erratic that in some classrooms students wore coats and gloves all winter while in other classrooms in the same school it was so hot that the windows had to be kept open in the coldest weather.[5]

When plaintiffs' attorney Arthur Benson took mature men, presidents of corporations, into those schools in the 1980s, they came out with tears in their eyes. Years later Judge Clark, an unpretentious man who wore cowboy boots on the bench, would remark that in all his years as a judge he had never seen a prison in as bad shape as the Kansas City schools.[6]

Winning Big in Federal Court

In the mid-1970s, in response to what appeared to be the imminent financial and educational bankruptcy of the school system, a group of mothers and educational activists took over the KCMSD school board. Then in 1977, with the schools in collapse and the voters unwilling to approve levy increases or school bond measures, members of the school board, the school district, and 2 (later increased to 10) plaintiff schoolchildren brought suit against the state of Missouri and assorted federal agencies, alleging that the state, the surrounding school districts, and various federal agencies had caused racial segregation within the district.[7] Federal Judge Russell Clark, who had just been appointed to the federal bench by President Jimmy Carter, got the case

shortly thereafter. The following year he dropped the federal agencies from the case and realigned the school district, making it a defendant rather than a plaintiff[8] (in practice, however, the district and the plaintiffs always had a "friendly adversary" relationship).[9]

In April 1984 after five months of trial, Clark rendered his first major decision, releasing the suburban districts from the case.[10] Three years later he found that the district and the state were "jointly and severally liable" for the segregated conditions in the Kansas City schools, a decision that meant that if Clark ordered the district to spend money to improve the schools and the district didn't have it, the state had to make up the difference.[11]

Originally, the plaintiffs' goal had been to get the judge to consolidate Kansas City's dozen small suburban districts with the KCMSD to create one big district that would then be subdivided into three or four smaller districts, each with a mandatory busing plan for integrating the schools. But when Judge Clark dismissed the suburban districts from the case, the plaintiffs were forced into a radical shift in strategy.[12]

Because the KCMSD was already 73 percent nonwhite, the only way to really integrate it was to bring in white children from the suburbs. Although critics had told Benson that such a plan wouldn't work--whites simply wouldn't go to majority black schools--Benson was operating on a Field of Dreams theory--"If you build it, they will come." As he saw it, parents didn't care about race. They didn't care how long the bus ride was. They didn't care what kind of neighborhood the school was in. What they wanted was a good, safe school that would provide their children with a good education. Benson considered it his job, therefore, to build a school system that would give students a better education than they could get anywhere else in the area. Then, as suburban middle-class whites flooded into the district, they would integrate the schools, and their middle-class aspirations would change the school culture from one of failure to one of success, whereupon blacks' achievement would rise to match that of whites.[13]

Because the judge had no expertise in devising a plan that would both desegregate the district and provide a quality education for the students, he asked the state and

the plaintiffs each to come up with a remedy and he would chose between the two.

The state took the aggressive but (as events would later show) not entirely irrational position that most of what was wrong with the KCMSD had more to do with crime, poverty, and dysfunctional families than it did with the failure of the state to meet its constitutional obligations. Under the circumstances, the state argued, all that was legally required was a little reroofing, patching, painting, and carpet repair coupled with curriculum reform and emphasis on better teaching.

The plaintiffs, on the other hand, encouraged by what they saw as the increasing sympathy of the judge for their position, decided to "go for the moon"--to ask for far more than they thought they could ever get.

The choice for Clark was a stark one--he could go with the state's plan, which in the words of Harvard researcher Alison Morante was "laughably insufficient," or he could go with the plaintiffs' plan, which was basically a wish list of everything they had ever wanted. Given the choice between doing hardly anything and giving the plaintiffs the moon, Clark decided to go for the moon.[14]

Once Clark decided for the plaintiffs, he didn't ask them to do things on the cheap. When it came time to fill in the plan's specifics, he invited them to "dream"[15]--to use their imaginations, push the envelope, try anything that would both achieve integration and raise student scores. The idea was that Kansas City would be a demonstration project in which the best and most modern educational thinking would for once be combined with the judicial will and the financial resources to do the job right. No longer would children go to schools with broken toilets, leaky roofs, tattered books, and inadequate curricula. The schools would use the most modern teaching techniques; have the best facilities and the most motivated teachers; and, on top of everything else, be thoroughly integrated, too. Kansas City would show what could be done if a school district had both the money and the will. It would be a model for educational reformers throughout the nation.

When estimates of the cost of the initial version of the plan came back, the lawyers and education activists who had designed the plan were shocked at their own audacity.[16]

The $250 million cost was a staggering amount in a district whose normal budget was $125 million a year. But that was only the start. By the time he recused himself from the case in March 1997, Clark had approved dozens of increases, bringing the total cost of the plan to over $2 billion--$1.5 billion from the state and $600 million from the school district (largely from increased property taxes).

With that money, the district built 15 new schools and renovated 54 others. Included were nearly five dozen magnet schools, which concentrated on such things as computer science, foreign languages, environmental science, and classical Greek athletics. Those schools featured such amenities as an Olympic-sized swimming pool with an underwater viewing room; a robotics lab; professional quality recording, television, and animation studios; theaters; a planetarium; an arboretum, a zoo, and a 25-acre wildlife sanctuary; a two-floor library, art gallery, and film studio; a mock court with a judge's chamber and jury deliberation room; and a model United Nations with simultaneous translation capability.

To entice white students to come to Kansas City, the district had set aside $900,000 for advertising, including TV ads, brochures, and videocassettes. If a suburban student needed a ride, Kansas City had a special $6.4 million transportation budget for busing. If the student didn't live on a bus route, the district would send a taxi. Once the students got to Kansas City, they could take courses in garment design, ceramics, and Suzuki violin. The computer magnet at Central High had 900 interconnected computers, one for every student in the school. In the performing arts school, students studied ballet, drama, and theater production. They absorbed their physics from Russian-born teachers, and elementary grade students learned French from native speakers recruited from Quebec, Belgium, and Cameroon.[17]

For students in the classical Greek athletic program, there were weight rooms, racquetball courts, and a six-lane indoor running track better than those found in many colleges. The high school fencing team, coached by the former Soviet Olympic fencing coach, took field trips to Senegal and Mexico.[18]

The ratio of students to instructional staff was 12 or 13 to 1, the lowest of any major school district in the

country.[19] There was $25,000 worth of beads, blocks, cubes, weights, balls, flags, and other manipulatives in every Montessori-style elementary school classroom. Younger children took midday naps listening to everything from chamber music to "Songs of the Humpback Whale." For working parents the district provided all-day kindergarten for youngsters and before- and after-school programs for older students.

A District Overwhelmed

For the KCMSD such a sudden change in fortune was overwhelming. Within a few years, a small neglected inner-city school district that never paid its bills on time, had horrible credit, couldn't balance its books at the end of the year, and suffered from a grossly bloated bureaucracy had as much as an extra $300 million a year coming in over the transom.[20]

It was more than the district could handle. District expenditures took quantum leaps from $125 million in fiscal year 1985 to $233 million in FY88 to $432 million in FY92.[21] There were too much largesse, too many resources, and too little security. A woman in the Finance Department went to jail for writing checks to her own account. Hundreds of thousands of dollars worth of equipment and supplies were lost to "rampant theft" every year.[22] "It was like taking a Third World country, a totally deprived community, and giving them unlimited wealth," said one local activist. "And that's how they acted--like kids in a candy store. They misused it, mismanaged it, and misappropriated it. They were just not prepared for what Judge Clark thrust upon them."[23]

Perhaps the worst problem for what one school board president called the district's "modestly qualified" administrators was the sheer volume of paperwork.[24] When the judge started building schools and inviting school principals to order whatever they wanted, purchase orders flooded into the central administrative office at the rate of 12,000 a month. Clerks were overwhelmed, devastated, and too ashamed to admit they couldn't handle the crush. The system just collapsed.[25]

There was such a rush to build or remodel so many schools in so short a time that contractors were starting work before educators had fully decided exactly what they

wanted to build. Equipment arrived before the schools were ready to receive it. Everything moved so fast that, as one former board member would later recall, "it was like building a train while it was rolling down the tracks."[26]

To outsiders, it appeared that the KCMSD had gone on a spending binge. At $400 million, Kansas City's school budget was two to three times the size of those of similar districts elsewhere in the country. The Springfield, Missouri, school district, for instance, had 25,000 students, making it two-thirds as big as the KCMSD. Yet Springfield's budget ($101 million) was only one-quarter to one-third the size of Kansas City's ($432 million at its peak).[27]

Everything cost more in Kansas City.[28] Whereas nearby districts were routinely building 500-student elementary schools for around $3 million, in Kansas City comparably sized schools cost $5 million to $6 million. Whereas the nearby Blue Valley district built a 1,600-student high school at a cost of $20.5 million, including furniture and equipment, in Kansas City the 1,200-student Central High cost $33 million (it came with a field house larger than those of many colleges, ubiquitous computers, and an Olympic-sized swimming pool).[29]

Warehouses filled up with equipment that schools had ordered but later decided they didn't want. One school ordered light fixtures that cost $700 apiece. Principals of some schools ordered replacements for desks and light fixtures that were in perfectly good condition. (The workmen who were installing the new desks and fixtures took the discards to their home districts and installed them in their own schools.) The district spent $40,000 for a display case for a high school that had no trophies. It bought 286- and 386-model computers and then left them sitting on the shelves so long they became obsolete without ever having been in a classroom. At one point, complained state attorney general Jay Nixon, the district couldn't account for some 23,000 items, including TV sets, CD players, bookcases, office furniture, and (temporarily) a baby grand piano.[30]

The Desegregation Monitoring Committee, which Clark had appointed to oversee the district under his direction, was irate at the district's nonchalance toward money. "The attitude has been prevalent throughout the . . . program that money is no object and the court will provide all that is necessary and no one will take any punitive action,"

complained the committee's 1992 report.[31]

With some 600 employees for a district of 36,000 students, the KCMSD had a central administration that was three to five times larger than the administrations of other comparably sized public school districts. It was also 150 times larger than the administration of the city's Catholic school system, in which four people--one superintendent, two assistant superintendents, and a part-time marketing manager--ran a school district of 14,000 students.[32] The KCMSD was so top-heavy that a 1991 audit discovered that 54 percent of the district's budget never made it to the classroom; rather, it was used for food service, transportation, and, most of all, central administration.[33]

At one point, complained Nixon, 44 percent of the entire state budget for elementary and secondary education was going to just the 9 percent of the state's students who lived in Kansas City and St. Louis.[34] Missouri was spending more on desegregation than it was spending on prisons, courts, the highway patrol, and the state fire marshal combined.[35]

To parents in the state's 529 other school districts, it seemed extraordinarily unfair that Kansas City was awash in money while their districts had to cope two years in a row with funding declines that forced them to hold bake sales and car washes to finance programs, sell hot dogs and sodas to buy school athletic uniforms, and clip soup coupons to buy computers.

To replace the money that the state sent to St. Louis and Kansas City, other districts in the state had to cancel field trips and extracurricular activities, defer maintenance, fire teachers, and freeze salaries.[36] The decline in state revenue cost the Springfield school district $4 million--4 percent of its entire budget. As there was no slack in the budget, Springfield had to fire 19 employees; defer grouting the mortar on 100-year-old brick buildings; cancel public speaking classes; dispense with water safety courses; and beg for money to send students to the Civil War battlefield at Wilson's Creek, an annual trip that had been made for decades.[37] In the meantime, the KCMSD was spending $50,000 a month to bring students to school in taxis, sending its fencing team to Senegal, and dispatching the district superintendent on a goodwill mission to Moscow.[38]

In some parts of the country, such excesses wouldn't have caused much of an outcry. "But these were Midwesterners and it was too much for their sensibilities," one Kansas City legislator noted. "If [Judge Clark] had gone slowly, built a few schools, renovated a few others, they wouldn't have minded so much. But there was this huge excess. And it was too much."[39]

From time to time, Clark did try to rein in the district. Once when the district tried to appoint someone with no magnet experience to be the principal of a magnet school, the judge forced the district to rescind the appointment. Another time he fined the school district when it failed for two years in a row to order books for the start of school. "The school district is like a small child," he once commented. "They'll push their parents as far as they can push them."[40]

Still, because Clark lived and worked in Springfield, 175 miles south of Kansas City, there was only so much he could do in person. Even more important, early on he made a conscious decision not to try to micromanage the school district. Clark felt that Arthur Garrity, the Boston federal judge who had earlier tried to implement his own remedy in that city's troubled schools, had failed dismally. Clark didn't want to make the same mistake.[41]

The Poster Boy of the Imperial Judiciary

Because the state was paying 75 percent of the desegregation costs, Clark wanted to equalize the burden by having the school district increase property taxes. But local voters, the majority of whom were older and white, repeatedly refused, whereupon Clark, taking matters into his own hands, ordered that property taxes in the district be doubled (from $2.05 to $4 for each $100 of assessed value). Later, to help pay for what would eventually become a 40 percent raise for teachers, he ordered a further increase--to $4.96.[42] He also ordered a 1.5 percent surcharge on income earned by people who worked in Kansas City but lived elsewhere.

It was one thing to take control of a local school district. It was another thing entirely for a judge to take the view that citizens weren't taxing themselves enough. In the ensuing outcry, editorial writers and news commentators

denounced Clark as "King George" and "the poster boy of the imperial judiciary."[43] "Politicians do polls and get their negatives rated," Benson later commented. "He is the most unpopular man in Jackson County and he doesn't even live here."[44] He began to get death threats, enough hostile letters to fill two big file drawers, and so many phone calls from outraged citizens that he quit answering the phone.[45]

For politicians who needed something or someone to run against, Judge Clark was a godsend. Not only did state and federal representatives run against him, but so did council members in other cities. "The animosity was mind-boggling," said former school board president Sue Fulson. For three years running, whenever citizens tried to lobby the legislature, they got back a form letter lamenting that, much as their representative would like to help, the matter was out of his hands--"All the money is going to Kansas City. Write Judge Clark."[46]

Clark was unswayed. "I had to balance two constitutional issues," he later said. "One was no taxation without representation and the other was the kids' right to an equal opportunity. I decided it in favor of the school children."[47]

A group of local taxpayers and property owners, represented by the Landmark Legal Foundation, appealed the order. Eventually, the issue got to the U.S. Supreme Court, which, by a five-to-four vote, decided in April 1990 that (1) Judge Clark did not have the right to raise taxes by himself but that (2) he could order the district to raise taxes to satisfy its debt obligations.[48] Justice Byron White justified the tax increase with the argument that "a local government with taxing authority may be ordered to levy taxes in excess of the limit set by state statute where there is reason based in the Constitution for not observing the statutory limitation."[49] In dissent, Chief Justice William Rehnquist and Justices Anthony Kennedy, Sandra Day O'Connor, and Antonin Scalia complained of the majority's "casual embrace of taxation imposed by the unelected, life-tenured federal judiciary."[50]

In the meantime, the Eighth Circuit Court of Appeals rescinded Clark's 1.5 percent income surcharge (which had brought in $32 million the first year, double what had been expected) on the grounds that it was an entirely new tax

requiring the creation of a new tax collection bureaucracy and thus unconstitutionally interfered with the right of local jurisdictions to manage their own affairs.[51]

Although the tax issue upset voters all over the state, what especially irked Kansas City parents was the district's inept running of its magnet school busing plan. To achieve the best possible racial balance within the Kansas City schools (as well as to transport those white suburban students who wanted to attend district schools), the desegregation plan called for a massive criss-crossing, door-to-door busing system. Once the magnet plan started, the district suddenly went from having 100 bus routes to having 850. At a given bus stop, it was not uncommon to find 10 kids going to 10 different schools.[52]

The opening of school each year was a media circus--and every year the buses were late. The Kansas City Star once ran a picture of two little girls sitting on a street corner hours after their buses were supposed to have come. On another occasion, a little girl who fell asleep on the bus ended up with frostbite when she found herself locked in the bus all night. Eventually, the district brought in a professional transportation manager who finally was able to make the buses run on time, but by then parents hated the magnet busing plan[53] and Kansas City had earned a reputation as a district that couldn't do anything right.

The atmosphere at school board meetings didn't help. There were so much paranoia and shouting and so many accusations that board president Sue Fulson had to walk on eggs.[54] If she didn't call on some board members, they would claim that they had been slighted. White liberals who came on the board thinking of themselves as "good guys" found their commitment to blacks constantly in question. Some members of the black community thought that the white board members told the black board members how to vote. Black board members regularly asked white colleagues, "What are you getting out of this?"[55]

The school board tried to do something about the antagonism, at one point calling in an attorney to hold up a little flag of truce when things got too far out of hand and, on another occasion, holding a weekend retreat in the country, but nothing helped--the races didn't trust each other.[56]

Teacher Competence vs. the Community's Need for Jobs

The school board's obsession with racial politics greatly complicated its efforts to hire a superintendent who was qualified to handle a $300 million to $400 million budget and yet willing to work with the school board. "Race is the first and foremost consideration in almost anything to do with the district," said former school board president Sue Fulson. "Once you decide which way you are going on [race] then you make the decision on the merits of whatever is left. And it has been that way for years."[57]

Kansas City never did solve that problem. Candidates with national reputations voluntarily took themselves out of consideration for the Kansas City superintendent's position once they actually met the school board.[58] Furthermore, once a superintendent was hired, the antagonism only got worse. The board rode one superintendent so relentlessly that he developed suicidal tendencies, took multiple out-of-state trips, and faked a back injury (for which he was subsequently fired) to avoid going back to work.[59] When Judge Clark recused himself from the case, he noted in his final state-of-the-district order that the KCMSD had had 10 superintendents in the last nine years, most of them bought out or fired (at one point the district had five superintendents on the payroll simultaneously). With such turnover, he complained, it was hard to hold anyone accountable.[60]

The turnover problem also left the district with neither the ability nor the political will to do anything about improving the quality of teachers and principals. Promotions to principal were based less on merit than on race. "We so desperately need good principals and we just continue to support hacks," Benson complained.[61]

Before the desegregation plan, the KCMSD could always argue that for more than 30 years it had not had the money to offer high enough salaries to attract a first-class teaching staff. But even after the desegregation money started rolling in, the district still didn't do anything to upgrade instructional personnel. It was less traumatic to concentrate on what Benson called the "easy expensive" things (new buildings, new equipment, busing plans) than to tackle the "difficult inexpensive" things that really make a difference in children's lives--appointing qualified principals, supervising instructional practices, developing a curriculum, providing incentives, hiring good teachers, and

firing bad ones.[62]

The result, education activist and gadfly Clinton Adams maintained, was that 50 percent or more of the teachers in the district were "not focused, rather vacuous, totally devoid of intellectual capacity, ill suited for the mission at hand."[63] Benson, more tactful, argued that only 20 percent of the teachers were "totally incompetent" and that another 20 percent could be brought up to speed with re-training.[64]

The biggest problem faced by KCMSD superintendents was that they didn't have a free hand when it came to personnel decisions. In Kansas City the two largest employers of middle-class blacks were the post office and the school district. Just the rumor of a dismissal sent tremors through the entire black community--there was no other place to go; the community needed the jobs. At the same time, school district employees were the mainstay of the black churches. (Kansas City mayor Emanuel Cleaver, a Methodist minister, had 200 teachers in his parish.)[65] The black preachers closely monitored the district's hiring and promotion practices, with the result that the district essentially couldn't fire anyone.[66]

Since it could do nothing about inadequate teachers, the district sidestepped the matter by simply raising everyone's (including cafeteria workers' and janitors') salary 40 percent.[67] But that didn't so much attract better teachers as convince poor teachers to stick with the district as long as they could because they were getting salaries they couldn't get anywhere else.[68]

The Kansas City Plan Goes Awry

When Clark first authorized the desegregation plan, he made what he now regards as a serious error--he ordered enough schools built to accommodate the 5,000 to 10,000 suburban students he believed would flock to Kansas City to enroll in the new magnet schools.[69]

But despite a $900,000 television advertising budget and a $6.4 million special budget for door-to-door transportation of suburban students, the district did not attract the 5,000 to 10,000 white suburban students the designers of the desegregation plan had envisioned. The largest number

it ever enrolled was 1,500, and most white students returned to their old suburban schools or to local private schools after one year, which forced the district to recruit a whole new cohort of white students every fall.[70] Even that modest number drastically declined after the Supreme Court's 1995 ruling that the judge had no authority to spend taxpayer dollars to transport suburban students into the district. By the 1996-97 school year, only 387 suburban students were still attending school in the KCMSD.[71] Given that the district's annual desegregation budget was approximately $200 million, the cost of attracting those suburban students was half a million dollars per year per child.

Some people in the black community regarded the white reluctance to attend school in the KCMSD as further proof of white racism--"You can't just build a $6 million school facility, call it a magnet, offer some romantic courses and think all the white students are going to come," said Kansas City mayor Emanuel Cleaver.[72] But to others the problem wasn't so much racism as hard-nosed parental realism. What suburban white parents really wanted were schools that would enable their children to compete effectively and successfully in the marketplace. The real reason whites wouldn't send their children to school in Kansas City was quite simple--the KCMSD couldn't offer white students as good an education as they were already getting in their neighborhood suburban schools.[73]

The desegregation plan called for the district to close old schools as new ones were built, but because of objections from the community, which suspected the district of trying to close schools in black neighborhoods, the district found it difficult to raze even the oldest and most dilapidated buildings.[74] As a result of that (and the never-realized tide of suburban enrollees), the district ended up with seats for a maximum of 54,000 students even though actual enrollment never exceeded 37,000.[75] Not only were the high schools of Kansas City "rattlingly empty," they were financial white elephants.[76] "It's my fault we built a school system the tax base can't support," Clark concluded.[77] Finally, in the summer of 1997, with state desegregation funding rapidly ending, the school board voted to do what it could never find the political will to do before--close two high schools and a middle school.[78]

Results of the Kansas City Experiment

By the time Judge Clark took himself off the case in March 1997, he was a deeply frustrated man. For more than 20 years he had devoted 20 percent of his time as a judge to the Kansas City case.[79] And despite all the effort he had made to order the plan, fund the plan, and keep the plan on track--often in the face of intense opposition from the very people he was trying to help--the plan wasn't working. The number of white suburban students attracted to the district by all the new magnet schools was less than 10 percent of the number that Clark had expected.[80] Year after year the test scores would come out, the achievement levels would be no higher than before, and the black-white gap (one-half a standard deviation on a standard bell curve) would be no smaller.[81]

Although the initial gap was small, by the 12th grade, blacks' scores on standardized tests were about three years behind those of whites (10.1 vs. 13.1).[82] At Central High School, which tended to attract suburban white computer hackers, white males were five years ahead of black males on standardized tests.[83] "While there is some good teaching and learning going on in KCMSD schools," Clark concluded in his March 1997 final order, "there is a great deal of poor teaching and little learning in many schools."[84]

Despite intense and unrelenting effort, the district also found it impossible to eliminate almost-all-black schools. The reason wasn't racism, either--the district had a black school superintendent, a majority black school board, and a black school board president. In 1996 nonwhite enrollment exceeded 90 percent at 4 high schools, 2 middle schools, and 10 elementary schools.[85] Clark could have ordered intradistrict transfers to distribute whites equally, but he feared that the white parents would do what other whites had done in the past--enroll their children in private schools or pull up stakes and leave the district or even the state. The border between Kansas City, Missouri, and Johnson County, Kansas, runs right down the middle of the metropolitan area. For people wanting to escape the reach of the court by leaving Missouri entirely, doing so was in some cases as simple as moving across the street.[86]

Although the district had once hoped to have enough white suburban students to bring down the black/white ratio to 60 percent black, 40 percent white, the percentage of nonwhites (blacks, Hispanics, and Asians) increased every year, going from 73 percent at the start of the desegregation plan to 80 percent in the spring of 1997.[87]

In his final order, Judge Clark blamed the failure on the district: "Because of the KCMSD's troubled past, the district has lost the confidence of many of its staff, students, parents, and the community at large--already low achievement scores have fallen in the last year or two and the debacles of the School Board have provided near constant fodder for the news media."[88]

The average black student's reading skills increased by only 1.1 grade equivalents in four years of high school.[89] At Central High, complained Clark, black males were actually scoring no higher on standardized tests when they graduated as seniors than they had when they enrolled as freshmen four years before.[90] Most annoying to the judge, the district seemingly had no idea what it really spent on various budget line items. Instead of adhering to a budget, Clark wrote, the district simply "threw" some money into a given account, and the departments could overspend or underspend as they saw fit. Despite repeated requests from the court, the district couldn't put together a security plan, a staff development program, or a core curriculum--something it had needed since the desegregation plan had gone into effect 12 years earlier.[91]

Clark had reason to be annoyed. Back in 1985 his chief educational adviser had sat on the witness stand in his court and had confidently assured him that, if he funded the proposed plan, student achievement on standardized tests would climb above state averages in less than five years.[92] But then Kansas City got all the money any school district could ever want, and essentially nothing changed.

"I don't know who sold the judge that bill of goods [that students would meet state norms in five years,]" Annette Morgan, a Kansas City Democrat and chairwoman of the Missouri House Education Committee said in 1995. "I always thought that was ludicrous. If they had done that they would have achieved the attention of everyone else because that has not been done any place I know of."[93]

No one was more disappointed than former school board president Sue Fulson. "I truly believed," she told the Harvard Project on School Desegregation in 1992, "if we gave teachers and administrators everything they said they needed that they would truly make a huge difference. I knew it would take time, but I did believe by five years into this program we would see not just results, but dramatic results, educationally. And [the fact we didn't] is my bitterest disappointment."[94]

Judge Clark was so disappointed that at one point he suggested that he would keep control of the district until test scores reached national norms. That left Missouri in a bit of a bind. For one thing, no big city school district had ever met national norms (they had their own standard--big city norms), and, as Justice Scalia pointed out in exasperation when the case finally got to the Supreme Court, by definition, "half the country is below national norms!"[95] The other problem was one of incentives. As long as Clark kept control, the state was obligated to send the district upwards of $100 million a year with no say in how the money was spent. Furthermore, given the extensive facilities and new programs the district had created, it was money the district couldn't do without. If the district did unexpectedly and unaccountably happen to raise test scores to national norms, the money would cease and the district would go bankrupt.

The Kansas City plan did have some successes. The district had perhaps the best facilities in the country. The equipment was state of the art. One former student won a Rhodes scholarship. Some of the students got an opportunity to visit other parts of this country or Europe. David Armor, an educational consultant and sociologist who testified in Clark's court on educational achievement in January 1997, found that the desegregation plan did integrate the system "as far as was possible," given the conditions that existed in Kansas City. "But educationally," he noted, "it hasn't changed any of the measurable outcomes."[96] Scores on standardized tests didn't go up at all. And the average three-grade-level black-white achievement gap was as big as it always had been.

In perhaps the biggest surprise, Armor's studies found that black elementary students who go to magnet schools (which have the highest percentages of whites) score no better on standardized tests than do blacks who go to all-

black nonmagnet schools.[97] In short, Armor found that, contrary to the notion on which the whole desegregation plan was founded--that going to school with middle-class whites would increase blacks' achievement--the Kansas City experiment showed that "integration has no effect."[98]

How the Desegregation Plan Hurt Kansas City

The most pressing problem with the Kansas City schools, which were mostly black to begin with, was not that they weren't integrated but that the schools were falling down and the students weren't learning. However, the lawsuit filed by the plaintiffs' attorney didn't concentrate on learning--it focused on segregation. One reason was that Benson initially assumed that segregation was the cause of poor achievement among blacks and once you cured that, bringing up test scores would be a trivial matter.[99]

There was also the practical question of finding a way to pay for the buildings, equipment, programs, amenities, transportation, and salary hikes. As one high school guidance counselor observed, "It's not unconstitutional to give the students a lousy education; it's only unconstitutional to give them a segregated one."[100] If the goal is to get a federal court to pour a billion dollars into a district, Landmark Legal Foundation's then-president Jerald Hill noted in 1995, "you have to come up with a constitutional violation."[101]

In Kansas City, segregation had become the constitutional tail that wagged the educational dog. Back before it became clear that there was no way the district could ever meet the prescribed desegregation ratio of 60 percent black to 40 percent white, Judge Clark's Desegregation Monitoring Committee was forever badgering the district: "Show us your progress. What are we getting for our money? How much integration have you got? How many white kids from the suburbs? What are your [black/white] ratios? What is the disparity index?"[102]

By worrying so much about integration in a district that was already three-quarters nonwhite, the judge and the plaintiffs ended up ignoring a whole list of far more likely reasons for students' lack of achievement. Because of steadfast union opposition, the district rejected merit pay for teachers.[103] It promoted principals on the basis of their race instead of their merit (which it had no systemat-

ic way to assess in any event). Because it failed to develop a core curriculum, many teachers simply geared their teaching to the Iowa Test of Basic Skills, a standardized multiple choice exam--a short-run strategy that hurt students long term.[104] For fear such a plan would reduce enrollment and jobs (and possibly show up the school district), the district rejected an initiative by 50 private schools to take 4,000 Kansas City students and educate them in return for vouchers for one-third to one-half of what the district was currently spending.[105] The KCMSD also rejected an offer by the Missouri Department of Education to run a demonstration school in the district because the state insisted on the right to pick its own teachers.[106]

An overzealous commitment to their desegregation plan sometimes led proponents of the plan to take positions seemingly at odds with their ultimate goal of helping inner-city blacks. At one point the Landmark Legal Foundation had to go to court to stop the district from enforcing a quota that allowed desks to sit empty in new magnet schools (waiting for whites who never came) while some overcrowded all-black schools had to house their students in trailers.[107] If a white suburban student wanted to go to a magnet school, admission was automatic because that brought the district closer to the 60/40 black/white ratio ordered by the judge. If a black student wanted to go to the same school, however, that student often ended up on a waiting list. As a result, some black parents registered their children as white in order to get them into certain schools.[108]

Finally, the district had discovered that it was easier to meet the court's 60/40 integration ratio by letting black students drop out than by convincing white students to move in. As a result, nothing was done in the early days of the desegregation plan about the district's appalling high school dropout rate, which averaged about 56 percent in the early 1990s (when desegregation pressures were most intense) and went as high as 71 percent at some schools (for black males it was higher still).[109]

Although the plan was ostensibly designed to benefit black inner-city students, in practice it required spending hundreds of millions of dollars on fancy facilities to attract white suburban students--who didn't need help--while neglecting the needs of inner-city blacks for health care, counseling, and basic instruction in reading, writing, and arithmetic.[110] That seeming perversion of logic left some

black parents confused and angry and less than eager to give their full support to a desegregation plan that pulled their children out of neighborhood schools for the questionable benefits of riding across town to go to school with whites whose parents, in some cases, had left the Kansas City schools to avoid blacks in the first place.[111]

The fact that the desegregation plan called upon the district to abandon neighborhood schools in favor of a massive magnet busing plan also weighed heavily on Judge Clark. In successful school districts, neighborhood schools are the hub of much community social activity. When students are bused clear across the district to a faraway magnet school, the fabric of the community is torn apart. Such considerations notwithstanding, Clark still came down on the side of busing for desegregation. "There were two objects to the Kansas City plan," he later said. "One was integration and the other was a quality education, and you can't necessarily have both."[112]

Finally, in June 1995, with $1.6 billion in desegregation funding down the drain and no end in sight, the U.S. Supreme Court made its third ruling in the case, telling Clark to quit trying to solve social problems beyond his purview; forget about what Chief Justice Rehnquist called "desegregative attractiveness" (building a school system so fancy it will attract students from other districts); quit holding the state hostage until test scores reach national norms; focus his energy on overcoming the vestiges of any remaining discrimination; and, as soon as possible, return control to local authorities.[113]

Although irked by what he regarded as the Court's faulty understanding of the issues,[114] Judge Clark bowed to the inevitable and two years later in March 1997 began the process of dismantling the desegregation plan by approving an agreement between the state of Missouri and the school district that would end the state's annual $110 million desegregation payment to the KCMSD after 1999.[115]

Clark's final order left many people wondering how the KCMSD would manage to survive without state desegregation funding. Not only would the district lose approximately $110 million a year from the state, it also stood to lose an additional $75 million provided by Clark's $4.96 property tax levy. Eventually the court would have to relinquish control of the district to local authorities (called "re-

storing unitary status"). Once it did that, legal authority for the district's court-ordered property tax increase would expire, allowing the rates to drop back down to the state-ordered minimum of $2.75 per $100 of assessed value. That $75 million drop, on top of the already negotiated $110 million a year drop in state funding, would leave the district--assuming it got no additional help--with a budget of about $140 million.

Although there are many similarly sized school districts around the country that are surviving quite well on budgets that size, such as Montgomery County, Alabama, and Richmond County (Augusta), Georgia, the KCMSD would probably need a minimum of $240 million a year to survive.[116] It had too many built-in expenses. The magnet school busing plan alone cost $30 million a year. The district had too many schools that were only half full. Many schools had extensive landscaping and athletic facilities, as well as expensive high-tech heating and air conditioning systems.[117] Just the cost of heating the much-ballyhooed 650,000-gallon Olympic-sized swimming pool at Central High ran to several hundred thousand dollars a year.

For his part, Judge Clark was miffed at what seemed to him to be some kind of informal collusion between the state and the district to convince him to withhold unitary status (and thus keep his property tax levies from expiring). "It is not the duty of this court to ensure funding for the KCMSD," he pointed out in his final order. If the district needed more money after the court orders expired, it ought to submit a property tax increase to the voters, or the state legislature ought to put together some kind of long-term financial aid package.

Even so, in his final order of March 1997, Judge Clark expressed deep concern over what would happen to the KCMSD when a subsequent court finally did return control of the district to local authorities. Given its past performance, he wrote, the district would probably cut school services rather than reduce its "lavish" administration. To prevent that, he urged whatever judge took his place on the case to consider appointing a special master to run the district until such time as it proved itself capable of handling its own affairs. "The KCMSD must come to grips with fiscal reality," he wrote. "It cannot continue to spend money on either excess or incompetent personnel."[118]

What Went Wrong

At one time the Kansas City experiment was going to be a progressive light unto the educational nation. Instead, it became the most expensive desegregation plan in the nation and, in terms of achievement-bang-for-the-education-al-buck, the biggest failure, too. Kansas City did all the things that educators had always said needed to be done to increase student achievement--it reduced class size, de-creased teacher workload, increased teacher pay, and dramat-ically expanded spending per pupil--but none of it worked.

Although official class size in the KCMSD ranged from 22 per room in kindergarten to 25 in high school, so many students cut classes that the effective class size was often closer to 15.[119] If such small class sizes were helping achievement, it didn't show up on exams. Neither did at-tempts to reduce the teacher workload. At Central High, complained Clark, teachers taught only three classes per day, but student scores on standardized tests were lower at Central than they were at schools where teachers taught six daily classes.[120]

Although Kansas City did increase teacher pay a total of 40 percent to an average of about $37,000 (maximum was $49,008 per year for Ph.D.s with 20 years experience), test scores for the district were consistently below state and national averages.[121] Parochial school teachers, in con-trast, earned an average of $24,423, but their students' test scores were consistently above state and national averages.[122]

In fact, the supposedly straightforward correspondence between student achievement and money spent, which educators had been insisting on for decades, didn't seem to exist in the KCMSD. At the peak of spending in 1991-92, Kansas City was shelling out over $11,700 per student per year.[123] For the 1996-97 school year, the district's cost per student was $9,407, an amount larger, on a cost-of-living-adjusted basis, than any of the country's 280 largest school dis-tricts spent.[124] Missouri's average cost per pupil, in contrast, was about $5,132 (excluding transportation and construction), and the per pupil cost in the Kansas City parochial system was a mere $2,884.[125]

The lack of correspondence between achievement and

money was hardly unique to Kansas City. Eric Hanushek, a University of Rochester economist who testified as a witness regarding the relationship between funding and achievement before Judge Clark in January 1997, looked at 400 separate studies of the effects of resources on student achievement. What he found was that a few studies showed that increased spending helped achievement; a few studies showed that increased spending hurt achievement; but most showed that funding increases had no effect one way or the other.[126]

Between 1965 and 1990, said Hanushek, real spending in this country per student in grades K-12 more than doubled (from $2,402 to $5,582 in 1992 dollars), but student achievement either didn't change or actually fell. And that was true, Hanushek found, in spite of the fact that during the same period class size dropped from 24.1 students per teacher to 17.3, the number of teachers with master's degrees doubled, and so did the average teacher's number of years of experience.[127]

As Hanushek saw it, the real problem in American public education wasn't so much financial as structural. There were no incentives in the current system to improve student performance--nothing rested on whether students achieved or not. The KCMSD should have been looking at incentives to increase academic productivity, such as merit pay, charter school vouchers, rewards for successful teachers, and penalties for unsuccessful ones. But the KCMSD, along with virtually the entire educational establishment, was institutionally biased against the notion of competition. As a result, state and federal governments had "spent tens of billions of dollars on school reforms over the last 15 years with nothing to show for it."[128] That didn't mean that money couldn't ever be important, Hanushek said, only that "in the current structure it doesn't help."[129]

Conclusion

All the money spent in Kansas City brought about neither integration nor higher levels of achievement. The lessons of the Kansas City experiment should stand as a warning to those who would use massive funding and gold-plated buildings to encourage integration and improve education:

- The political realities of inner-city Kansas City

made it impossible to fire incompetent teachers and principals and hire good ones.

• Because the community regarded the school system as much as an employment opportunity as an educational institution, less than half the education budget ever made it to the classroom.

• School superintendents found it hard to function because every decision was second-guessed by the court-appointed monitoring committee; the attorney for the plaintiffs; and the state of Missouri, which was paying most of the bills.

• Because the designers of the Kansas City plan assumed that inner-city blacks couldn't learn unless they sat in classrooms with middle-class whites, the district wasted exorbitant amounts of time and money on expensive facilities and elaborate programs intended to attract suburban whites instead of focusing its attention on the needs of inner-city blacks.

• By turning virtually every school in the district into a magnet school, the Kansas City plan destroyed schools as essential parts of neighborhoods, fractured neighborhoods' sense of community, and alienated parents.

• The mechanism used to fund improvements to the school system (a federal desegregation lawsuit) deflected attention from the real problem--the need to raise black achievement.

• The ideological biases of local educators and politicians, and the federal court, made them reject solutions that might have worked, such as merit pay, charter schools, or offers by private schools to educate students in return for vouchers.

• Because the district had no way to evaluate the performance of teachers and administrators, promotions couldn't be based on merit.

• The desegregation plan created inverse achievement incentives--the district got hundreds of millions of extra dollars in court-ordered funding each year but only if student test scores failed to meet national

norms.

Postscript: Confirmation from Sausalito

People who believe there's a strong connection between money spent on education and student achievement have a hard time explaining what's going on in the tiny 284-student Sausalito, California, Elementary School District. The district spends more than $12,300 per student each year--nearly three times the state average.[130] Students go to school in freshly painted buildings, with manicured lawns and new playground equipment. Class size is a mere 16 students per room, half that of many larger districts. The district has special instructors for art, drama, science, and computers. Yet, when it comes to student achievement, none of that seems to matter. Test scores are the lowest in Marin County; a third of the students are in special education classes; classrooms are "chaotic"; teachers are "frustrated, distressed and exhausted" and afraid to "turn their backs" on their classes.[131]

How could that happen in Sausalito, a wealthy liberal community of some 7,200 artists, writers, and professionals just across the bay from San Francisco at the northern end of the Golden Gate Bridge? "Why," asked one Los Angeles Times reporter, "aren't children performing better in a district that wants for nothing money can buy?"[132]

One reason, certainly, is parental influence, or lack thereof. Sausalito shares its school district with an unincorporated area called Marin City, a federal housing project built to house the families of workers who flocked to area shipyards to build oil tankers during World War II. The contrast between Marin City and Sausalito couldn't be more striking. Sausalito, which is 94 percent white, has an average family income of $107,500, an unemployment rate of 3.8 percent, and hillside homes that overlook San Francisco Bay. Marin City, in contrast, suffers from a 38 percent unemployment rate; two-thirds of its 2,000 residents live in public housing best known for fostering dependence on welfare, crime, alcoholism, and drug abuse.[133]

Even so, the situation of the schools was stable until 1990, when the Department of Defense closed three nearby bases. When the military left, a lot of social stability went with it and the schools quickly began to deteriorate.

Concerned white parents began to transfer their children from the local public schools to private schools. By 1997 only 13 of the estimated 200 elementary-school-age children in Sausalito were going to school in their own school district.[134] Eighty percent of the district's students were black, and most came from Marin City.

Their chaotic home life came with them to the classroom. Students were "disruptive, ill-trained, ill-prepared, often without the most basic academic and social skills."[135] During the 1996-97 school year, teachers and principals called the police on 50 different occasions. According to a Marin County civil grand jury report, the district lacked strong leadership, the teachers were demoralized, and the students were so violent that the teachers feared "turning their backs" on them.[136]

When parents complained, some board school members blamed low test scores on poverty, unemployment, and drugs. But a group of concerned parents pointed out that there were schools in San Francisco and nearby San Rafael where students had just as many disadvantage and those students were doing fine.

Many people have suggested ideas for improving the schools: replacing the school board; hiring a dean and a full-time counselor for troubled children; coming up with a new curriculum; encouraging parental involvement, now close to nonexistent; and improving communication.[137] So far, however, no one has suggested solutions that might actually work. One reason is that school officials are so wedded to the notion that money is the solution to low achievement that, when they have money and it doesn't help, they don't know what to do.

In the meantime, they ignore ideas that might work. They might fire poor teachers and reward good ones with merit pay, give parents vouchers so they could send their children to private schools, or stop trying to solve the problem of dysfunctional families after the fact and look upstream for a solution--the elimination of welfare to end the resulting social chaos.

Notes

1. Jenkins v. Missouri, 959 F. Supp. 1151 (W.D. Mo., 1997), order of Judge Russell Clark. Cited hereafter as Clark, order.

2. Arthur Benson, "School Segregation and Desegregation in Kansas City," www.bensonlaw.com/deseg/deseg_history.htm, work in progress, Spring 1995 with 1996 epilogue.

3. Author's interview with attorney Arthur Benson, August 24, 1995.

4. Author's interview with former Kansas City school board president Sue Fulson, September 13, 1995.

5. Author's interview with Benson, August 24, 1995.

6. Alison Morantz, Harvard graduate student, intreview with Judge Russell Clark for the Harvard Project on School Desegregation, September 2, 1992. The project published "Money, Choice and Equity in Kansas City" in April 1994. Morantz provided the author transcripts of the interviews she conducted.

7. School District of Kansas City, Missouri v. Missouri, 438 F. Supp. 830 (W.D. Mo., 1977).

8. School District of Kansas City, Missouri v. Missouri, 460 F. Supp. 421 (W.D. Mo., 1978).

9. Jenkins v. Missouri. 593 F. Supp. 1487 (W.D. Mo., 1984).

10. Ibid.

11. Jenkins v. Missouri, 672 F. Supp. 400 (W.D. Mo., 1987).

12. Author's interview with Benson, August 24, 1995.

13. Ibid.

14. Author's interview with Alison Morantz, September 8, 1995.

15. Stephen Chapman, "An Educational Experiment Yields Some Astonishing Sobering Lessons," Chicago Tribune, June 22, 1995.

16. Alison Morantz, interview with Sue Fulson for the Harvard Project on School Desegregation, August 26, 1992.

17. Author's interview with Benson, August 24, 1995.

18. Author's interview with Missouri attorney general Jay Nixon, September 13, 1995. Cited hereafter as Nixon.

19. Author's interview with George Mason University sociologist David Armor, July 24, 1997. Cited hereafter as Armor.

20. Author's interview with Fulson.

21. Desegregation Division, Missouri Department of Elementary and Secondary Education.

22. Lynn Horsley, "Audit Suggests Possible Savings," Kansas City Star, August 8, 1997.

23. Author's interview with Kansas City attorney Clinton Adams, September 8, 1995. Cited hereafter as Adams.

24. Author's interview with Fulson.

25. Author's interview with Benson, August 24, 1995.

26. Author's interview with former school board member Paul Ballard, Septemvber 19, 1995. Cited hereafter as Ballard.

27. Author's interview with Springfield attorney Ed Payton, September 15, 1995. Cited hereafter as Payton.

28. Author's interview with Missouri state attorney John Munich, September 14, 1995. Cited hereafter as Munich.

29. Lynn Horsley, "Costs of KC's Improvements," Kansas City Star, November 18, 1991.

30. Nixon.

31. Quoted in Jim Mosely, "Kansas City's Plush Schools Lure Students," St. Louis Post Dispatch, February 9, 1992.

32. Author's interview with Kansas City Catholic diocese school superintendent Sister Anne Shepard, August 20, 1997. Cited hereafter as Shepard.

33. Lynn Horsley and Tim O'Connor, "KC School District Lacks Leadership and Vision," Kansas City Star, January 24, 1991.

34. Nixon.

35. Charles Crumpley and Lynn Horsley, "Who Pays the Price?" Kansas City Star, May 10, 1994.

36. Payton.

37. Ibid.

38. Author's interview with Kansas City attorney Richard Miller, September 13, 1995. Miller filed a petition with the court on behalf of black parents asking Clark to approve a voucher plan to allow black children to attend desegregated private schools. The matter was dropped after Miller's "angel" ran out of money.

39. Author's interview with state legislator Annette Morgan, September 14, 1995. Cited hereafter as Morgan.

40. Morantz, interview with Clark.

41. Ibid.

42. Author's interview with Landmark Legal Foundation attorney Mark Bredemeir, August 8, 1995.

43. Blake Hurst, "Runaway Judge," American Enterprise, May-June 1995, pp. 53-56.

44. Author's interview with Benson, August 24, 1995.

45. Author's interview with Judge Russell Clark, September 15, 1996.

46. Author's interview with Fulson.

47. Author's interview with Clark.

48. Missouri v. Jenkins, 110 S. Ct. 1651 (1990).

49. Ibid. at 1666.

50. Ibid. at 1667.

51. Jenkins v. Missouri, 855 F.2d 1295 (8th Cir., 1988).

52. Ballard.

53. Author's interview with Fulson.

54. Ibid.

55. Ballard.

56. Ibid.

57. Author's interview with Fulson.

58. Author's interview with Benson, August 24, 1995.

59. Ballard.

60. Clark, order at 1174.

61. Author's interview with Benson, August 24, 1995.

62. Ibid.

63. Adams.

64. Author's interview with Benson, August 24, 1995.

65. Alison Morantz, interview with Kansas City mayor Emanuel Cleaver for the Harvard Project on School Desegregation, August 3, 1992.

66. Author's interview with Benson, August 24, 1995.

67. Ibid.

68. Adams.

69. Twenty-five percent of the KCMSD's 37,000 students were white. Thus, to meet the court-mandated ratio of 40 percent white to 60 percent black, the district needed to attract 10,000 additional white students.

70. Author's interview with Gene Eubanks, professor of education at the University of Missouri, Kansas City, September 12, 1995.

71. Desegregation Division, Missouri Department of Elementary and Secondary Education.

72. Morantz interview with Cleaver.

73. Adams.

74. Author's interview with Benson, August 24, 1995.

75. Munich.

76. Author's interview with Benson, August 24, 1995.

77. Author's interview with Clark.

78. Phillip O'Connor and Lynn Horsley, "Three Schools Slated to Close," Kansas City Star, August 2, 1997.

79. Author's interview with Clark.

80. Desegregation Division, Missouri Department of Elementary and Secondary Education.

81. Clark, order at 1160.

82. Ibid.

83. Author's interview with school board president Edward Newsome, September 12, 1995. Cited hereafter as Newsome.

84. Clark, order at 1173.

85. Ibid. at 1165.

86. Author's interview with Fulson.

87. Clark, order at 1165.

88. Ibid. at 1178.

89. Ibid. at 1158.

90. Ibid.

91. Ibid. at 1173, 1174.

92. Chapman.

93. Morgan.

94. Morantz interview with Fulson.

95. Jenkins v. Missouri, 115 S. Ct. 2038 (1995).

96. Armor.

97. Ibid.

98. Ibid.

99. Author's interview with Benson, August 24, 1995.

100. Author's interview with school counselor Dorothy Phillips, September 12, 1995.

101. Author's interview with Jerald Hill, president of Landmark Legal Foundation, Octobeer 4, 1995. Cited hereafter as Hill.

102. Author's interview with Benson, August 24, 1995.

103. Ibid.

104. Ibid.

105. Author's interview with John Coons, law professor at the University of California, Berkeley, School of Law, September 7, 1995.

106. Morgan.

107. Hill.

108. Ibid.

109. Ibid.

110. Newsome.

111. Hill.

112. Author's interview with Clark.

113. Missouri v. Jenkins, 115 S. Ct. 2054, 2054, 2055.

114. Author's interview with Clark.

115. Clark, order at 1152.

116. Author's interview with Arthur Benson, August 27, 1997.

117. Lynn Horsley, "Fine Schools Will Need Years of Expensive Care," Kansas City Star, November 18, 1991.

118. Clark, order at 1177.

119. Armor.

120. Clark, order at 1177.

121. Salary data from KCMSD Research Office.

122. Shepard.

123. Desegregation Division, Missouri Department of Elementary and Secondary Education.

124. Clark, order at 1170.

125. Average cost is from Desegregation Division, Missouri Department of Elementary and Secondary Education. The Kansas City parochial figure is from Shepard.

126. Author's interview with Eric Hanushek, July 7, 1997.

127. Eric Hanushek, "Remedial Math," New Democrat, December 1995, pp. 25-27.

128. Ibid.

129. Author's interview with Hanushek.

130. Peter Fimrite, "Sausalito Schools Get Low Grades," San Francisco Chronicle, August 22, 1997.

131. Ibid.

132. Maria L. LaGanga, "Audit Sees 'Chaos' in Sausalito Schools," Los Angeles Times, September 26, 1997.

133. Maria L. LaGanga, "Sausalito Schools: Money Isn't Enough," Los Angeles Times, May 16, 1997.

134. Ibid.

135. Fimrite.

136. Ibid.

137. LaGanga, "Audit Sees 'Chaos' in Sausalito Schools."