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Affirmative Action Strategies in Elementary and Secondary Schools

Abigail Thernstrom, Ph.D.

Disproportionate numbers of black students do poorly on standardized tests; strategies to improve American education thus frequently target inner-city schools. These strategies often have an unrecognized affirmative action component. A search for more minority students or teachers is clearly an affirmative action effort. But the elimination of all tracking or competency grouping is another matter. Normally viewed as nothing more than a pedagogical strategy, it, like other affirmative action efforts, amounts to a conscious effort to alter the low-track status of minority pupils. Similarly, the demand for curricular reforms, racial sensitivity training, and more culturally “appropriate” tests, while not obviously affirmative action strategies, are precisely that. They attempt to broaden the definition of excellence and to create a more racially inclusive educational system. Such well-meaning strategies are not likely to close the racial gap in school performance. That task may call for quite a different approach.

Republicans and Democrats alike have only one clearly good idea to solve the problems of the black underclass: better schools — the traditional ticket out of poverty. Education, they say, creates opportunity. The children of inner-city black families will escape from the ghetto if they receive decent schooling.

Better schooling for black students means different things to different advocates. Strategies abound: smaller classes, more nurturing, higher expectations, accelerated learning — the list is long. Some of these strategies aim to improve education in general; they rest on the notion that better schools will benefit all students. Others, however, focus specifically on the perceived needs of minority children — especially black children.

Many of the programs that target minority children have an affirmative action component — although one that is not so obvious. Thus, while an admissions quota at an

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academically elite school such as Boston Latin is unmistakably an affirmative action effort, other reforms appear quite different at first glance. Insisting that students with different levels of academic achievement work together rather than in separate "tracks," for instance, would seem to contain no element of racial preference. In fact, however, the currently fashionable attack on competency or "ability" grouping is but one expression of a larger movement to institute policies that ignore differences in educational achievement in the name of racial and ethnic equality. And that's precisely what affirmative action is all about.

That is, these minority-targeted programs are in general leveling efforts. They label as discriminatory traditional methods of sorting and selecting minority students and minority teachers. They assume inevitable tension between equity and rigorous academic standards — between racial justice and policies that result in clear distinctions between better and worse students. And they resolve that tension by opting for a form of affirmative action — erasing or modifying (in the name of equity) the hierarchy into which high and low performers fall.

All affirmative action programs are a response to minority "underrepresentation" by the standard of ethnic and racial proportionality. In the case of schooling, blacks are indeed underrepresented both in faculty and other staff positions, as well as in schools, classrooms, and other "tracks" that admit only high performers. Have they been "segregated" or unfairly "excluded," as affirmative action and other equity advocates claim? If so, they are entitled to remedial action — affirmative inclusionary efforts.

"Segregation" no longer has the clear meaning it once had. Take the question of student placements. Separating students on the basis of their performance on standardized exams can be viewed as a segregative act because of the disproportionate concentration of blacks at the low end of the scale. Or it can be seen as a constructive response to the unfortunate fact of low academic achievement. Different perceptions demand different policies.

Racial Differences in Academic Achievement

It is beyond dispute that disproportionate numbers of black students indeed do poorly on standardized exams. At every age level, black students lag far behind their white peers in the most important subjects that have been tested by the National Assessment of Educational Progress (NAEP).¹ The 1990 data indicate that in reading, for example, black thirteen-year-olds, typically in the eighth grade, are about as adept at handling written material as whites who are almost two (1.8) years younger. By the age of seventeen the gap has widened to 3.4 years, so that on reading tests black students about to graduate from high school score only a few points ahead of whites in the eighth grade. At the youngest age level tested — nine-year-olds — we cannot translate the difference in scores on reading tests into a "years behind" estimate, but the gap of 35 scale points is even larger than the gap at age seventeen. It is clear that a very large and troubling difference in reading competence is present not long after children first start school, and that the gap does not diminish notably with prolonged exposure to the educational system.

The results of the assessment of mathematics skills are much the same. Here black students are about 2.5 years behind whites at both thirteen and seventeen, and the racial gap in average scores at age nine is just as large as it was at thirteen.

The mathematical achievement of black high school graduates is so poor that two out of three begin their college careers lacking a grasp of mathematical concepts covered in junior high school.

If these disparities in reading and mathematical competence seem shockingly large, they are modest in comparison with the immense racial gap in science and writing. In science, blacks in junior high score well below whites in elementary school; likewise, blacks in their final year of high school demonstrate much less command of science than whites in the eighth grade. At both ages they perform at about the level we expect of whites who are six years younger. Moreover, black nine-year-olds are just as far behind their white peers.

Even more shocking disparities show up on tests of writing skills. Here blacks in the eleventh grade perform just a few points ahead of whites in the fourth grade! Blacks in the eighth grade score so far below white fourth-graders that it appears their scores would be equaled by whites in kindergarten. That estimate is obviously dubious, since we have no comparable tests for students at that tender age, and indeed most have not really begun to write. But the point is clear: in writing ability black students are off the chart when compared with whites.

The only good news in all this is that the racial gap in reading and math proficiency used to be far greater than it is now. The first NAEP tests in 1971 showed blacks 3.3 years behind whites in reading at age thirteen, and fully six years at age seventeen. This gap had narrowed almost to half by 1990. In mathematics, the picture is similar. In science, however, there appears to have been far less progress. Black seventeen-year-olds were seven years behind whites in 1969 and almost six years behind in 1990. But at seventeen the difference increased from five to 5.8 years.²

In sum, the NAEP tests continue to reveal a large difference in how much black and white students have learned, on average — or at least in the learning they display on standardized tests of basic educational skills. The initial racial gap in reading and mathematics has narrowed considerably, but remains ominously large. And the gap in command of science and written English is not only huge; thus far, it appears impervious to change.

As a consequence of the racial gap in performance, few blacks are eligible for admission (by traditional standards) to elite institutions, whether private or public, and few black students are in the top tracks in schools that assign classes on the basis of proven academic competency. Such results were once acceptable; today they are not. The absence of Catholics or Swedes in academically exclusive settings would raise no eyebrows. But in the case of blacks, relatively low scores on standardized tests are not generally interpreted simply as bad news. Instead, the news conveyed is viewed as an indictment of the tests and of those who devise and use them. The results are seen as a wrong that demands a remedy: a way of sorting and grouping students that is more racially fair, a method that rejects the academic hierarchies in which blacks cluster at the bottom, or one that relies significantly on qualities other than standardized test performance. It would be, in short, an affirmative action remedy.

The Affirmative Action Argument Against Testing and Tracking

Varied arguments are used against interpreting black students' average scores on standardized tests as simply bad news — not welcome, but providing useful information and so a legitimate basis on which to sort students for instructional purposes. For instance, those who attack the validity of the standardized tests argue that the scores are worthless; they don't tell authorities what they should want to know. Federal district judge Skelly Wright put the point succinctly in a 1967 Washington, D.C., desegregation decision. "When standard aptitude tests are given to low income Negro children . . ." he said, "test scores become practically meaningless. Because of the impoverished circumstances that characterize the disadvantaged child, it is virtually impossible to tell whether the test score reflects lack of ability — or simply lack of opportunity."³

Actually, critics argue, black students' results on standardized tests are meaningless for two reasons. Not only does socioeconomic disadvantage handicap these test takers; the students are asked the wrong questions. The exams are racially and culturally biased. They measure nothing worthwhile — or nothing appropriate to blacks.

Perhaps the most consequential formulation of this point was contained in *Larry P. v. Riles*, the 1979 decision that banned the use of IQ tests in California schools — although only for blacks. The state had relied partly on the results of such tests in determining placement in the EMR track — classes designated for the "educable mentally retarded." "Black children's intelligence may be manifested in ways that the tests do not show," Judge Peckham ruled.⁴ In so doing, he cited the testimony of Georgia State professor of education Dr. Asa Hilliard, best known subsequently for his advocacy of Afrocentric curricular material for black children. Hilliard had stated that blacks have "a cultural heritage that represents an experience pool which is never used" or tested by standardized tests.⁵ The point was not Hilliard's alone. For instance, Harvard University professor of education Charles Willie has argued that standardized testing is flawed when it fails "to recognize that in social organization there always are at least two norms, the norm of the dominant people of power and the norm of the subdominant people of power."⁶

The "norm of the subdominant people" is said to include nonstandard English — a fact that tests routinely ignore, Hilliard complained in his court testimony. "Vocabulary is not standard," he said, "even when people use the same word."⁷ Syntax is not standard. Nor are cultural references — to Shakespearean plays, historical events, or even recreational scenes — Judge Peckham noted. The black child "uses language requiring a wide use of many coined interjections (sometimes profanity)," states material given to teachers in Portland, Oregon.⁸ Again, in the literature on testing, the point is a familiar one. Carol Chomsky, a Harvard colleague of Charles Willie's, argues that labeling such constructions as "he didn't want to ride in no cars" as "mistakes" is an objectionable value judgment. "Students are asked to . . . classify their own speech as error-ridden." Standardized tests, at least those portions which assess spoken language, should reflect community language norms.⁹

The point often takes a more radical form. It's not simply that black children do not know and should not know who Columbus was; blacks think differently from whites. "African-American students and European-American students have very different learning styles," educational consultant Jawanza Kunjufu has said.¹⁰ Similarly, a 1987 New York State Board of Regents booklet argued that "children's racial,

ethnic and emotional backgrounds and cultures influence the manner in which they learn concepts and process information.” It enumerated a number of “qualities noted in African-Americans” — among them, a “preference for inferential reasoning rather than deductive or inductive reasoning and a “tendency to approximate space, number and time instead of aiming for complete accuracy.”¹¹

If black children learn differently, they must be tested for different skills. And indeed Nancy Amuleru-Marshall, on the research staff for the Atlanta public schools, has argued that “any tests that emphasize logical, analytical methods of problem solving will be biased against minorities.”¹² In the same vein, Thelma Mumford-Glover, director of Atlanta’s gifted and talented program, has stated that “multicriteria are essential to the identification of gifted and talented African-American children.”¹³ Her office discourages all use of IQ and achievement tests.

Different learning styles are perhaps what Judge Peckham had in mind in stating that the problem of test bias would not be solved by eliminating certain items and substituting others.¹⁴ FairTest calls such questions as What do you call a baby cow? unfair to inner-city children.¹⁵ Peckham cited other examples, but removing the offensive items would not rid a test of its pervasive cultural bias, critics agree.¹⁶

For these critics, the problem with the tests, at bottom, seems to be their disparate racial and ethnic impact. “The consequences of testing . . . constitute the most damning evidence against the fairness of tests. Poor and minority students consistently score lower than do whites,” University of California at Los Angeles education professor Jeannie Oakes has written in a widely quoted book on tracking.¹⁷ In a similar vein, Charles Willie has argued that “standardized testing . . . is particularly dangerous for individuals in subdominant power groups,” since such testing disproportionately excludes members of those groups.¹⁸ And most recently, a civil rights coalition argued against the Bush administration’s national testing proposal on the ground that a disproportionate number of black — and other minority — students are likely to score low. By implication, tests are legitimate only when the distribution of black and white scores is identical.¹⁹

The assumption seems to be that such a disparate racial impact is inexplicable except as the consequence of discrimination, a point that Judge Peckham made explicitly. In an earlier ruling in the same case, he had called the concentration of black children tracked into EMR classes an “unmistakable sign of invidious discrimination,” and went on to argue that academic potential — or the lack thereof — is surely distributed randomly across racial and ethnic groups.²⁰ There is “no basis for assuming otherwise than that the ability to learn is randomly spread about the population,” he said.²¹ Peckham’s 1979 decision contained much the same statement.²²

Of course, “the ability to learn” may be randomly distributed while academic performance is not, and for the purposes of sorting and grouping students, what counts would seem to be performance. But the sorting and grouping process itself has a discriminatory impact, test and tracking critics generally argue. Tracking is a self-fulfilling prophecy; students labeled less competent quickly become so.

The concern is well founded when tracking means back-of-the-bus education for children who are academically behind. But dumbed-down schooling and inflexible assignments, so that children are condemned to inferior education in every subject for the life of their time in school, are not necessary consequences of grouping students according to their level of academic performance. In any case, the problem of educational quality — only one of the questions that antitracking spokespersons raise — is

not one of concern to this article. These people make another point, which is the topic here. Identifying students as academically inadequate, they say, has a special impact on black children; minority status lowers teachers' expectations, with the result that students learn less. Ghetto kids, on whom teachers look down, inevitably do poorly.²³ That argument, which Judge Skelly Wright made in the District of Columbia desegregation case, was in turn cited approvingly by Judge Peckham in his first *Larry P.* decision.²⁴

Judge Wright refers to teachers' "misjudgments" about the ability of black students. Other tracking critics are not so kind. They make the very serious charge that racism — not poor judgment — determines who ends up in what level classes. Racists initially designed the tests, and racists determine who goes where.²⁵ Judge Peckham concluded that no nonracial reasons could possibly explain the concentration of blacks in EMR classes; "overenrollments" could not have "resulted from a color-blind system of placement."²⁶ In a September 1990 newscast, an ABC News reporter stated flatly that "throughout the nation schools are sorting students into high- and low-ability groups, often with racial bias regardless of their test scores." The program went on to quote UCLA's Jeannie Oakes. "Often you'll see high-scoring kids in low tracks, low-scoring kids in high tracks, and often that relates to ethnicity and social class," she said.²⁷

Sorting based on racism is of course appalling. But no evidence suggests that what Oakes "saw" is common. Nevertheless, her perception is widespread and has, on occasion, triggered organized parent protest. This was the case in early 1990 in Selma, Alabama, when parents took to the streets in part over the tracking issue. "We have black children who are high achievers, who have high test scores, who have not been allowed to take algebra," an attorney and activist father of a high school daughter complained.²⁸ A year later, parents in the Richardson, Texas, school district charged that black children were put in special education classes not only because they spoke, dressed, and acted differently, but also because whites didn't want any academic competition from blacks.²⁹

That charge hinted at a broader point. It is not only racism, but its corollary, a desire to reinforce the existing hierarchical structure of power in the society, that drives the assignment of students to the various tracks, it is often argued. Thus Boston political scientist James Jennings describes tracking as a "mechanism by which to reinforce the racial and social hierarchy in our society that places blacks and the economically disadvantaged at the bottom."³⁰ Oakes makes the same point: "The differentiated curriculum has served to reinforce the racial and socioeconomic stratification of society."³¹ In fact, FairTest argues, children are different but none have academic "deficits."³² Schools should promote "a sense of community and social justice, not privilege or definitions of 'deserving' and 'undeserving,'" the report on tracking by the Massachusetts Advocacy Center explains.³³

Policy Implications

I have reviewed the varied arguments against standardized tests and ability or performance grouping at some length. The point should be clear: critics of such tests do not see them as basically fair — a legitimate means of measuring a student's academic progress. On that, all antitest, antitracking advocates agree. Different ways

of arguing the point, however, have different policy implications. For instance, the contention that standardized tests misjudge blacks' ability is an argument for substantially ignoring scores in admissions and sorting policies. Students whose record and performance on standardized tests show minimum qualifications should therefore be admitted to academically selective schools — in unspecified numbers. In general, hierarchical arrangements should be modified or eliminated; cooperative learning or heterogeneous grouping within individual schools should replace academic tracking.³⁴

These are classic affirmative action strategies; “meritocratic” standards, as traditionally defined, and differences in educational achievement are ignored in the interest of racial justice. The instructional landscape is made more level. But the arguments that black children think and learn differently, that the questions asked on the exams are racist or inappropriate, that teachers and administrators make racist assumptions about the capability of black children and sort them accordingly, and that schools have a duty to create an egalitarian society call for something more. They suggest the need for entirely different curricular materials, “culturally appropriate” assessment processes, more black teachers and racial sensitivity training for those who are white, and the abolition of all academically selective classes and schools. They call for familiar strategies that have arrived as corollaries to affirmative action policies in other settings.

Arguments for the elimination of tracking have gained wide acceptance. No one knows how many schools have actually replaced “ability” grouping — more accurately described as performance or competency grouping — with some sort of non-hierarchical way of organizing students, but certainly the desirability of doing so is frequently articulated. The notion that students — particularly minority students — shouldn't be judged, sorted, and labeled seems to be widely accepted in orthodox education circles.

That idea has had a clear impact on admissions policies in elite schools — those which accept students on the basis of some sort of performance testing. Under affirmative action pressure, these special schools have altered their admissions criteria to enroll minority students. Thus, in Alexandria, Virginia, the Thomas Jefferson High School, specializing in science and technology, has adopted entirely new admissions standards that emphasize motivation and grades rather than scores on standardized tests in order to raise the number of minority students.³⁵ In Fairfax County, Virginia, four programs for the gifted and talented were reported in 1990 to be considering nonverbal tests for admission — tests that would “tap all the intelligences” — to increase their minority enrollments.³⁶

The California Academy of Mathematics and Science, a high school that opened in 1990, decided not to rely on an entrance test to achieve a diverse student body. A student who scores above the sixty-fifth percentile on one of the mathematical achievement tests, who has taken eighth-grade algebra, and who has maintained a B average in math classes is eligible for admission. The result is a school that approximately mirrors the local population: 15 percent white, 85 percent minority, with even numbers of blacks, Hispanics, and a combination of Asians and Pacific Islanders.³⁷ Boston's three elite high schools have, in effect, racial and ethnic quotas — judicially mandated as part of a desegregation plan.³⁸ In other cities, affirmative action plans are supplemented by mentoring and other programs; Bronx Science in New York, for instance, has both a special admissions program for disadvantaged students and a

summer program for students whose entrance examination scores fall short of the necessary mark.³⁹ Private schools, too, have altered admissions requirements to enroll black (and Hispanic) students.

Thus, those who would ignore differences in educational achievement in the name of racial and ethnic equality have won at least a partial victory in the widespread commitment that schools have made to modifying tracking. Ability or competency grouping within schools has become increasingly unfashionable; cooperative learning is the current buzzword. And elite — top-track — schools are everywhere altering admissions policies to acquire a greater racial and ethnic mix of students.

But neither form of tracking has disappeared entirely, and indeed most of the more radical proposals made by reformers — implied or explicit — have met considerable resistance. For instance, the Massachusetts Advocacy Center and others who see schools as engines for egalitarian social reform argue for the elimination of all exclusive schools, given their disproportionate racial and ethnic impact.⁴⁰ Those schools remain, however, ironically, in part, because of pressure from minority parents, who see such schools as an avenue of social mobility.⁴¹

A lesser degree of skepticism has greeted proposals to institute more culturally appropriate curricular materials and to train teachers in racial sensitivity — familiar by-products of affirmative action programs. In fact, it seems safe to say that no major urban school system has been unaffected by demands for curricular revision. Some schools are using, or discussing using, “multicultural” history and English texts that tell a racially and ethnically inclusive story; others have adopted an “Afrocentric” curriculum that extends to math and science and places the contributions of Africans and African-Americans at the center of all instruction. In general, these are local school district decisions, but in California and New York the curriculum is being revised at the state level.

California has adopted a new social studies series that weaves the story of non-European civilizations and non-European peoples into both the world and the American history texts. On the other hand, Atlanta, Detroit, Washington, D.C., and other cities are teaching Egyptian hieroglyphics, discussing the work of black inventors, and telling African stories.⁴² New York State, too, appears headed in an Afrocentric direction.⁴³ In other jurisdictions, a commitment to multicultural education has been made, with details yet to be worked out; for example, Minnesota has embraced the idea of a new statewide graduation requirement that would assess students’ ability to live in a culturally diverse society, but has not yet arrived at a consensus on what the measure might be.⁴⁴ Private schools, too, are taking a second look at curricular materials that seem “Eurocentric” in tone and adding courses on subjects such as black music.⁴⁵ Indeed, some that serve only black students have fully embraced the Afrocentric notion. At Shule Mandela Academy in East Palo Alto, California, pupils are asked to “think black, act black, speak black, buy black, pray black, love black and live black.”⁴⁶

But not only students are said to need a different education; affirmative action advocates would like to see an extensive process of retraining for teachers, a subject much talked about — with unknown results. In Portland, Oregon, all teachers are encouraged to use the “Baseline Essays,” the bible of the Afrocentrists that traces all knowledge and culture back to Ancient Egypt, which is depicted as a black African civilization. Afrocentric conferences that provide workshops and lectures for teachers are a regular feature of the educational landscape. Elite private schools are also

asking teachers to rethink the messages they deliver; for example, Phillips Academy in Andover, Massachusetts, has an Office of Community Affairs and Multicultural Development that runs staff and student workshops and generally promotes multiculturalism.⁴⁷

The demand for increasing the number of black teachers, particularly in heavily black urban school systems, has also been well received, at least to the extent that the market has allowed. School systems across the nation are determinedly searching for more black teachers despite the fact that there is a substantial racial gap in black and white teachers' scores and no evidence that black children learn better from black instructors.⁴⁸ New York City, for example, adopted an affirmative action plan in 1990 that includes a directive to find teachers in southern black colleges. The city has plenty of company in its search. Recruiters are competing in a seller's market. "When you go to teacher fairs," one Minnesota official has complained, "you'll see some of the best-qualified teachers of color walking around with five and six contracts in their pocket, just ready to choose." Those contracts may include college loan forgiveness and other such enticements.⁴⁹

Affirmative action in elementary and secondary education often takes forms that may not be immediately recognized as such. Efforts to increase minority representation in elite schools and to recruit more black teachers are business as usual. But heterogeneous classroom grouping — sometimes called cooperative learning — is another matter. Normally viewed as nothing more than a pedagogical strategy, in fact, like other affirmative action efforts, it amounts to a conscious effort to alter the low-track status of minority pupils.

Detracked students, by definition, become part of the high-track group. Their representation among the elect is increased. Similarly, the demand for curricular reforms, racial sensitivity training, and more culturally "appropriate" tests, while not obviously affirmative action strategies, are precisely that. They attempt to broaden the definition of excellence and to create a more racially inclusive educational system.

Are these affirmative action policies an answer to the inadequate performance of black students? Not all educators think they are. There's "a lot of knee-jerk, Band-Aid response, especially when it comes to minority achievement," a Montgomery County, Maryland, administrator has said. "We are under pressure to have the right numbers: not too many black kids suspended, get more in honors courses," he went on. "It's all about looking good and not dealing with the real problems."⁵⁰ Shuffling kids, instituting leveling policies that disguise differences in academic competency, adopting a multicultural or Afrocentric curriculum, hiring black teachers, running sensitivity workshops, are all solutions on the cheap. They cost taxpayers almost nothing and, in urban school districts in which almost all pupils are members of minority groups, they affect relatively few whites. Thus they are both financially and politically palatable.

A serious attack on the racial gap in performance may take much more, however. Indeed, it may call for recognizing — not ignoring — different levels of educational attainment. Not with programs that are boring and academically worthless, of course, but with different work, approached and paced differently, for different kids. And for those inner-city students who are now performing especially poorly, it may take expensive intervention into their out-of-school lives. In 1992 the educational landscape

was dotted with experiments focused for the most part on disadvantaged children. It's not yet clear what will truly work, but it is clear that the best reformers know that "white" academic standards are not racist, that the failure to meet those standards is meaningful, and that real progress will have occurred when whites and blacks, by a common measure, perform the same. ♫

Notes

1. I am indebted to Stephan Thernstrom for the statistical work on student achievement.
2. National Center for Education Statistics, *Trends in Academic Progress: Achievements of U.S. Students in Science, 1969–70 to 1990; Mathematics, 1973 to 1990; Reading, 1971 to 1990; and Writing, 1984–1990* (Washington, D.C.: Office of Education, 1991), 26, 64, 112, 152.
3. *Hobson v. Hansen*, 269 F. Supp. 401, 485 (D.D.C. 1967).
4. *Larry P. v. Riles*, 495 F. Supp. 926, 957 (1979).
5. *Ibid.*, 959.
6. Charles V. Willie, "The Unfair Effects of Standardized Testing on Blacks and Other Minorities," in *The Prices of Secrecy: The Social, Intellectual and Psychological Costs of Current Assessment Practice*, edited by Judah L. Schwartz and Katherine A. Viator (Cambridge, Mass.: Harvard Graduate School of Education, Educational Technology Center, 1990), 24.
7. *Larry P. v. Riles*, 495 F. Supp. at 958.
8. David Nicholson, "Afrocentrism and the Tribalization of America," *The Washington Post National Weekly Edition*, October 8–14, 1990, 23.
9. Carol Chomsky, "Language and Language Arts Assessment," in *Prices of Secrecy*, 74.
10. Dirk Johnson, "Milwaukee Creating 2 Schools Just for Black Boys," *New York Times*, September 30, 1990, 1.
11. Mark A. Uhlig, "Learning Style of Minorities to Be Studied," *New York Times*, November 21, 1987, 29.
12. Carol Innerst, "Definition of 'Intelligence' Grows in the Name of Diversity," *Washington Times*, May 28, 1990, 1-A.
13. *Ibid.*
14. This is certainly the implication contained in his approving citation of the Asa Hilliard testimony arguing that blacks and whites disagree over the meaning of common words.
15. Michelle Guido, "Californians Debate Halting Use of IQ Test," *Chicago Tribune*, August 18, 1991.
16. See, e.g., 5, zone C.
17. Jeannie Oakes, *Keeping Track: How Schools Structure Inequality* (New Haven: Yale University Press, 1985), 11.
18. Willie, "The Unfair Effects," 22. Willie was referring to SATs, but he would obviously extend the point to standardized tests in general.
19. Kenneth J. Cooper, "Exams Opposed over Potential Harm to Minorities," *Washington Post*, June 12, 1991, A-21.
20. *Larry P. v. Riles*, 343 F. Supp. 1306, 1310 (1972).
21. *Ibid.*

22. *Larry P. v. Riles*, 495 F. Supp. 926, 944 (1979).
23. The point is made by many commentators. See, e.g., Eva Wells Chun, "Sorting Black Students for Success and Failure: The Inequity of Ability Grouping and Tracking," in "Black Education: A Quest for Equity and Excellence," a special edition of *The Urban League Review*, Spring 1987–Winter 1987–1988 (Vol. 11, Nos. 1,2), 93–106.
24. *Larry P. v. Riles*, 343 F. Supp. 1306, 1312 (1972).
25. On the assertion that racists designed the tests to begin with, see, e.g., Judge Peckham in *Larry P.*, 495 F. Supp. 926, 955 (1979): "The experts have from the beginning been willing to tolerate or even encourage tests that portray minorities, especially blacks, as intellectually inferior." He rested his conclusion on the work of Professor L. J. Kamin. See *The Science and Politics of IQ* (Potomac, Md.: Lawrence Erlbaum, 1974).
26. *Larry P. v. Riles*, 495 F. Supp. 926, 944 (1979).
27. ABC News, September 4, 1990. The reporter quoted was Bill Blakemore. See also Chun, "Sorting Black Students," 100: "Even high-achieving blacks tend to be placed in low ability groups or tracks, while low-achieving white, middle-class students tend to be placed in high tracks or ability groups."
28. *Washington Post*, February 14, 1990, A-3.
29. Jonathan Eig, "Black Parents Decry Remedial Program," *Dallas Morning News*, February 19, 1991.
30. Diego Ribadeneira "'Tracking' Cheats Needy Students in City, Study Says," *Boston Globe*, March 27, 1990, 12.
31. Oakes, *Keeping Track*, 153.
32. FairTest: National Center for Fair and Open Testing, "K–12 Testing Fact Sheet" (Cambridge, Mass., brochure, n.d.).
33. *Locked In/Locked Out: Tracking and Placement Practices in Boston Public Schools* (Cambridge: Massachusetts Advocacy Center, March 1990), 11.
34. In theory, antitracking advocates could recognize the need for some differentiation among students but insist on racial quotas in the different academic levels. And in fact that is what the plaintiffs in *Larry P.* demanded: racial quotas in the EMR classes. The judge rejected that notion, however. In addition, in 1971 a California legislative declaration prohibited disproportionately high numbers of students who were members of any racial or ethnic group in EMR classes, but the legislation had no teeth. These California demands and declaration are unique, to the best of my knowledge.
35. *Los Angeles Times*, November 9, 1990, A-30.
36. Frank Wolfe, "Fairfax Schools Hunt for Gifted Minorities," *Washington Times*, August 8, 1991, B-4.
37. Telephone conversation with staff at the school, January 9, 1992.
38. *Morgan v. Kerrigan*, 401 F. Supp. 216 (1975). No school was forced to take students that scored below the fiftieth percentile on the Secondary Scholastic Aptitude Test, however.
39. *Los Angeles Times*, November 9, 1990, A-30.
40. *Locked In/Locked Out*, 58. The court-ordered quotas called for 35 percent black and Hispanic, a radical increase in the numbers over what they were in the early 1970s.
41. Thus in San Francisco in the early 1970s, the National Association for the Advancement of Colored People opposed making admissions at an elite magnet school noncompetitive. In Boston there has been similar resistance.
42. The literature on multicultural and Afrocentric curricular revisions is very large. See, for instance, Mary Lefkowitz, "Not out of Africa," *New Republic*, February 10, 1992, 29; Nathan Glazer, "In Defense of Multiculturalism," *New Republic*, September 2, 1991, 18;

Diane Ravitch, "Multiculturalism: E Pluribus Plures," *American Scholar* 59 (Summer 1990): 337–354; and Molefi Kete Asante and Diane Ravitch, "Multiculturalism: An Exchange," *American Scholar* 60 (Spring 1991): 267–276.

43. See New York State Social Studies Review and Development Committee, "One Nation, Many Peoples: A Declaration of Cultural Interdependence," report, June 1991.
44. Bob Hotakainen, "Desegregation Plans Sought: State Will Require Action by Suburban Districts," *Minneapolis Star Tribune*, May 14, 1991, 1-A.
45. For a description of private school efforts, see, for instance, Phyllis Coons, "National Association of Independent Schools Pilots Multicultural Plan," *Boston Globe*, July 29, 1990, 67, and Sharon Britton, "A Fast-Changing Andover Rethinks Its View of the World," *Boston Globe*, June 2, 1991, 7.
46. "A Is for Ashanti, B Is for Black," *Newsweek*, September 23, 1991, 45.
47. Britton, "A Fast-Changing Andover," *Boston Globe*, June 2, 1991, 7.
48. Gerald David Jaynes and Robin M. Williams, Jr., eds., *A Common Destiny: Blacks and American Society* (Washington, D.C.: National Academy Press, 1989), 364.
49. Bob Hotakainen, "Incentives Urged to Attract Minority Teachers to State," *Minneapolis Star Tribune*, August 14, 1991.
50. Patrick Welsh, "A Lesson in Reading, Writing — and Red Tape: The Problem Our School Bureaucracies Create," *Washington Post*, December 2, 1990.