

Housing Policy Meets Education Policy: How Education Choice Policies Exacerbate the Need for Integrated and Healthy Housing

Public education is at the heart of a democratic society. A strong public education system is founded on the principle that every child deserves the opportunity to learn and to thrive, regardless of the child's race, socioeconomic status, gender, religion, or ability. Healthy and integrated housing are essential components of a strong public school system. Yet, the discussion of healthy, affordable, and fair housing is too often left out of the discussion of how to improve Chicago's public schools.¹ While issues surrounding school and housing segregation, school and housing access, and school and housing quality have long been a concern, housing and education policy have long remained siloed.² In fact, when Chicago Public Schools voted to shut down 49 public schools last year, officials blamed the under-utilization of the schools caused by shifts in neighborhood demographics. This argument, in effect, treats education and housing policy as distinct and separate although policy making in one area invariably affects the effectiveness of policy in the other.

In this paper, I explore the connection of housing to educational outcomes, and argue that the increase in "school choice" policies is further diminishing educational outcomes for the students harmed by these housing realities. Housing that is racially and socioeconomically integrated, affordable, and in good condition offers children access to

¹ Dave Zisser and Brenda Shum, "Housing and Education Advocates Work Together to Improve Education" *Clearinghouse Review* (Vol. 47, 2014) available at <http://www.povertylaw.org/clearinghouse/article/housing-and-education-advocates-work-together-improve-education>

² National Fair Housing Alliance, et. al, "The Future of Fair Housing: Report of the National Commission on Fair Housing and Equal Opportunity," (December 2008), available at: <http://www.prrac.org/pdf/HousingEducationReport-October2011.pdf>

good schools, stability, and health necessary to achieve their learning potential. Students who attend highly segregated schools achieve less than schools in integrated communities.³ Students who experience housing instability and homelessness as a result of a lack of affordable housing have increased difficulty both accessing an education and excelling academically.⁴ Children who live in substandard housing are more likely to miss school and experience learning difficulties due to chronic health conditions, such as lead poisoning and asthma, caused by their homes.⁵ Yet, Chicago does not have overarching policies, programs, or guidance for the intentional and sustainable integration of Chicago Public Schools, and is alarmingly devoid of healthy and affordable housing. Instead, Chicago has paved the way for privatized and semi-private education, ostensibly allowing parents to choose the best school for their child, while largely excluding a commitment to supporting integrated and healthy neighborhoods to the detriment of educational success for all students in Chicago.

Racial Segregation in Chicago Public Schools

Chicago is perhaps the most intentionally racially segregated city in the nation. Throughout the past century, Chicago leaders razed neighborhoods and intentionally segregated public housing⁶ while developers lobbied for red lining and exclusionary

³ Century Foundation, “Housing policy is school policy: Economically integrative housing promotes academic success in Montgomery County, Maryland” (New York, 2010) *available at* <http://tcf.org/assets/downloads/tcf-Schwartz.pdf>

⁴ Chicago Coalition for the Homeless, “Gaps in Educational Supports for Illinois Homeless Students” (Feb. 27, 2014) *available at* http://chicagohomeless.issuelab.org/resource/gaps_in_educational_supports_for_illinois_homeless_students

⁵ Maya Brennan, “The Impacts of Affordable Housing on Education: A Research Summary, Insights from Housing Policy Research” *Center for Housing Policy* (2011) *available at* http://www.nhc.org/media/files/Insights_HousingAndEducationBrief.pdf

⁶ See *Hills v. Gautreaux*, 425 U.S. 284 (1976).

zoning and realtors intentionally pushed families into blocks with their own race and white residents employed restrictive racial covenants to ensure segregation.⁷ Meanwhile, the Federal Housing Administration historically only approved mortgages for whites to live in white neighborhoods, forcing black families to purchase housing on contract with exploitive terms, erasing generations of wealth for black families.⁸

This history of residential segregation persists today, and schools remain highly segregated as a result. Nationwide, nearly 80% of Latino students and nearly 75% of black students attend high-minority schools, and 14% and 15% respectively attend what are referred to as “apartheid schools”—schools where less than 1% of the student body is white.⁹ It is important to note also that the poverty rate for blacks and Hispanics is more than twice as high as the rate for whites.¹⁰ This reality is even starker in Chicago where 41% of public schools are 90% black, and these schools are where 68% of black students are enrolled.¹¹ Chicago Public Schools are 44.7% Hispanic, 40.5% black, 9% white, and

⁷ Richard Rothstein, “Why Our Schools are Segregated” *Faces of Poverty* (May 2013) available at <http://www.ascd.org/publications/educational-leadership/may13/vol70/num08/Why-Our-Schools-Are-Segregated.aspx>

⁸ See Beryl Satter, *Family Properties: How the Struggle Over Race and Real Estate Transformed Chicago and Urban America* (2010).

⁹ *Brown v. Board of Education*, 347 U.S. 483 (1954); Gary Orfield et al., “E Pluribus ... Separation: Deepening Double Segregation for More Students,” *Civil Rights Project* (Sept. 2012) available at http://civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/mlk-national/e-pluribus...separation-deepening-double-segregation-for-more-students/orfield_epluribus_revised_omplete_2012.pdf

¹⁰ The poverty rate is 26.5 percent for blacks and 24.1 percent for Hispanics, compared to 12.1 percent for whites (U.S. Census Bureau, Poverty Status in the Past 12 Months: 2008–2012 American Community Survey 5-Year Estimates (Dec. 2013) available at http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_12_5YR_S1701&prodType=table

¹¹ Steve Bogira, “Trying to make separate equal.” *Chicago Reader* (June 2013) available at <http://www.chicagoreader.com/chicago/segregated-schools-desegregation-city-suburbs-history-solutions/Content?oid=9992386>

3.4% Asian, despite non-Hispanic whites encompassing 31.7% of the city's population.¹² White families are more likely to send their children to private school or to relocate to the suburbs where the quality of public education is perceived to be better.

This is in spite of ample evidence that shows that students of all races who attend diverse schools are more likely to test higher, graduate, and go to college than students enrolled in schools with a large minority or low-income population.¹³ The benefits of integrated housing and education are strongly supported.¹⁴ Diverse schools and neighborhoods have considerable benefits to children, including promoting cross-cultural competency, employment marketability, and educational equity.¹⁵ These benefits multiply when housing and educational equity are fostered in tandem and create intergenerational impacts.¹⁶ Research indicates that those who live in integrated neighborhoods and who attend diverse schools are more likely to remain in integrated neighborhoods and choose to send their children to integrated schools.¹⁷

The Benefits of Housing Stability and Affordability for Educational Outcomes

Much advancement is necessary in order to combat the severely segregated nature of Chicago Public Schools, including an increase in affordable housing in order to

¹² See U.S. Census Bureau State and County QuickFacts *available at*: <http://quickfacts.census.gov/qfd/states/17/1714000.html>

¹³ *Supra I.*

¹⁴ Chicago Area Fair Housing Alliance, "Chicago from Home to School: Why Segregation Persists and Current Reform May Only Make Things Worse" (October 2013), *available at*: <http://cafa.net/wp-content/uploads/2013/10/Housing-Education-link-CAFHA-subcommittee-FINAL.pdf>

¹⁵ Becky Vevea, "40 Percent of Closed Schools Now Privately Run" *Catalyst Chicago* (2013) *available at* <http://www.catalyst-chicago.org/news/2013/01/15/20741/map-40-percent-closed-schools-now-privately-run>

¹⁶ *Id.*

¹⁷ Roslyn Arlin Mickelson, "The Reciprocal Relationship Between Housing and School Integration." *The National Coalition on School Diversity* (2011).

promote stable living environments for children. The majority of renters in Chicago pay more than the recommended 30% of their income towards housing expenses, with the lowest income Chicagoans paying up to 89% of their income towards housing costs.¹⁸ As previously noted the poverty rate for blacks and Hispanics is more than twice as high as the rate for whites, and lower income people are statistically more likely to be renters.¹⁹ Renters are much more likely to be housing-cost burdened than homeowners.²⁰ With the demolition of much of Chicago's public housing and the resulting loss of affordable units, low-income residents have an even more difficult time finding affordable housing. This phenomenon disproportionately affects people of color.²¹ The racial disparities in overcrowding are also alarming: Hispanic households are eleven times more likely to be overcrowded than white households, and black households are three times more likely to be overcrowded than white households.²²

¹⁸ U.S. Census Bureau, Household Income by Gross Rent as a Percentage of Household Income in the Past 12 Months: 2008–2012 American Community Survey 5-Year Estimates *available at* http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_12_5YR_B25074&prodType=table

¹⁹ The poverty rate is 26.5 percent for blacks and 24.1 percent for Hispanics, compared to 12.1 percent for whites (U.S. Census Bureau, “Poverty Status in the Past 12 Months: 2008–2012”).

²⁰ Compared to 52.8 percent of renters, only 15.5 percent of owners are cost-burdened (U.S. Census Bureau, Selected Housing Characteristics: 2010–2012 American Community Survey 3-Year Estimates, *available at* http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_12_5YR_S1701&prodType=table)

²¹ For example, 55.5 percent of black households rent, compared to 27.3 percent of non-Hispanic white households (U.S. Census Bureau, “White Alone, Not Hispanic or Latino Householder” *available at* http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_12_5YR_B25003H&prodType=table)

²² The U.S. Census Bureau reports that 13.4 percent of Hispanic households, 3.7 percent of black households, and 1.2 percent of non-Hispanic white households are overcrowded

The stark consequences to educational outcomes resulting from the lack of affordable housing in Chicago are severe and well documented. Affordable housing provides students with the necessary stability to deter excessive absences and a disruption in the teacher and peer relationships necessary for strong educational outcomes.²³ Unfortunately, black students experience three times more moves and transfers than white students in Chicago.²⁴ This higher rate of school transfers and moves that low-income, primarily black and Latino, students experience disrupts educational outcomes, and results in lower test scores and higher dropout rates. Moreover, all children in schools with high mobility rates are affected, because a constant stream of new students is both disruptive to the learning environment and requires increased resources to assist the new student, at the expense of resources being spent elsewhere.²⁵ Without an adequate supply of affordable housing, Chicago Public School students experience frequent relocation and resulting homelessness and overcrowding of households, and the resulting significant disruptions to their education.

Additionally, children that experience homelessness face exceptional educational barriers, including access to education and delays in cognitive development. Although the McKinney-Vento Act aims to remove some barriers related to access, obstacles faced by

(U.S. Census Bureau, Occupants Per Room: 2008–2012 American Community Survey 5-Year Estimates).

²³ Urban Institute, “Housing as a Platform for Improving Education Outcomes Among Low-Income Children” (2012), *available at* <http://www.urban.org/UploadedPDF/412554-Housing-as-a-Platform-for-Improving-Education-Outcomes-among-Low-Income-Children.pdf>

²⁴ Consortium on Chicago School Research, “Changing Schools: A Look at Student Mobility Trends in Chicago Public Schools since 1995” (2009), *available at* <http://ccsr.uchicago.edu/sites/default/files/publications/studentmobility-final.pdf>

²⁵ *Id.*

homeless children remain great.²⁶ Homeless students are more likely than other low-income students to repeat a year of school, drop out, perform poorly on standardized tests, and exhibit learning and behavioral difficulties.²⁷ Access to affordable housing for all would help these children avoid the disruptions caused by homelessness and improve overall educational achievement.

Healthy Housing Promotes Educational Success

To further complicate the interconnectedness of housing and education outcomes, it is important to remember the connection between housing quality and educational outcomes. Low-income homes, especially in communities of color, are often plagued with unsafe and unhealthy housing conditions. In 2010, over 3.8 million rental units nationwide had moderate to severe conditions issues, including, but not limited to, inadequate heat, mold, and lead paint.²⁸ 28% of these units are black households and 19% are Hispanic households. Good housing conditions help ensure that occupants, especially children, are healthy and safe. The primary means of ensuring that housing meets health and safety standards is through the enforcement of building, health, and housing codes at the local level. Many municipalities require periodic rental inspections and stiff penalties for noncompliance with local health and building codes.²⁹ Chicago, however, has no such requirement, resulting in poor educational—and health—outcomes for Chicago’s children.

²⁶ 42 U.S.C.A. § 11386; Chicago Coalition for the Homeless, *supra* 4.

²⁷ Brennan, *supra* 5.

²⁸ U.S. Census Bureau, Housing Problems—Renter-Occupied Units (National) *available at* http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=AHS_2011_C05RO&prodType=table

²⁹ Changelab Solutions, “Healthy Housing through Proactive Rental Inspections” (2014) *available at* <http://changelabsolutions.org/publications/PRI-programs>

Health problems caused by poor housing conditions often result in chronic absences, resulting in lower achievement, and attendance, in the classroom.³⁰ Exposure to lead paint has a direct relationship to the long term learning potential of children, and severe and irreversible learning disabilities can result.³¹ Mold and rodent infestations can cause or exacerbate asthma and result in frequent absences.³² Inadequate heat results in insufficient sleep and hinders the ability to retain information in school.³³ In addition to the physical structure of a home, overcrowding in households can also impact health³⁴, which in turn results in students having difficulty studying at home and completing their assignments. Overcrowding contributes to lower math and reading scores, fewer years of education, and lower rates of graduation from high school.³⁵

How School Choice Policies Exacerbate Segregation

Despite the clear racial and economic inequalities in Chicago Public Schools resulting from housing policy, efforts to close the achievement gap have been focused almost exclusively on eliminating and punishing failing schools rather than on the sustained integration of Chicago's neighborhoods. Chicago's education policy has consisted of creating a free-market school system, ostensibly allowing parents to choose the best school for their child, while this reform largely excludes a commitment to

³⁰ Brennan, *supra* 5.

³¹ National Center for Healthy Housing, "Issue Brief: Childhood Lead Exposure and Educational Outcomes," *available at* http://www.nchh.org/Portals/0/Contents/Childhood_Lead_Exposure.pdf

³² Changelab Solutions, "Mold and Moisture in theHome: Strategies for Local & State Government" (2014) *available at* http://changelabsolutions.org/sites/default/files/Mold_%26_Moisture_in_the_Home-FINAL-20140421.pdf

³³ Zisser *supra* 1.

³⁴ HUD uses a standard of more than one person per room as one measure of overcrowding.

³⁵ Brennan, *supra* 5.

supporting integrated and healthy neighborhoods. School choice policies date back to the 1970s when school districts implemented “voluntary” desegregation plans.³⁶ These plans allowed parents a choice in schools, with a goal of achieving the larger goal of racial integration.³⁷ By the 1990s, however, “school choice” transformed into a market-driven, less regulated policy that does not prioritize diversity.³⁸

Instead of focusing on improving housing quality and neighborhood integration, Chicago’s education policy has since focused on the proliferation of private, selective enrollment, magnet, and charter schools that “compete” with one another to pull in the highest achieving students, the “best” teachers and administrators, and the most resources, to the detriment of low-income students of color, students with disabilities, and citywide educational equity.³⁹ The massive school closings last year are part of a greater movement to privatize public education in Chicago, which is problematic for creating and then maintaining integrated schools and communities. According to the Chicago Area Fair Housing Alliance (CAFHA), 98% of school closings in Chicago in the past decade have been in majority minority schools.⁴⁰ According to Catalyst Chicago, 40% of the schools Chicago Public Schools have shut down are now privately run charter schools.⁴¹ Charter schools often have selective enrollment—and retention—policies and are not

³⁶ See *Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S. 701 (2007) (split decision striking down Seattle, WA and Louisville, KY’s voluntary school desegregation/integration programs).

³⁷ Amy Stuart Wells, “Seeing Past the ‘Colorblind’ Myth of Education Policy” *National Education Policy Center* (2014), available at http://nepc.colorado.edu/files/pb-colorblind_0.pdf.

³⁸ *Id.*

³⁹ Chicago Area Fair Housing Alliance, *supra* 14.

⁴⁰ *Id.*

⁴¹ Vevea, *supra* 9.

required to admit students from the surrounding community.⁴² Moreover, charter schools have less public oversight despite receiving public funding. Research, however, does not show an increased benefit over quality neighborhood schools.⁴³

Selective enrollment in these schools is also problematic. Charter high schools in Chicago enroll on average half as many English as a Second Language students and 6-7% fewer low-income students than traditional neighborhood schools.⁴⁴ Moreover, roughly 75% of students enrolled in charter schools live outside of the surrounding community, yet the schools remain just as segregated, if not more, than public, neighborhood schools.⁴⁵ Accordingly, lack of access to publicly funded schools threatens further segregation of our schools and remained segregation of the City.⁴⁶ These solutions, however, ignore the historical, political, and economic causes of these disparities and focus instead on a student's current achievement rather than the underlying causes for why, and how, the student got there.

Without a mandate to promote diversity, these policies have contributed to the rising levels of segregation in Chicago. The number of educational "choices" available to parents in Chicago has, in fact, only further segregated Chicago's schools.⁴⁷ Despite the benefits of school integration, Chicago Public Schools demographic data depicts

⁴² Chicago Area Fair Housing Alliance, *supra* 14.

⁴³ Collaborative Equity and Justice in Education Report, "The Charter Difference: A Comparison of Chicago Charter and Neighborhood High schools," (2009) *available at* <http://ceje.uic.edu/wp-content/uploads/2013/11/CharterDifference.pdf>

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ Chicago Area Fair Housing Alliance, *supra* 14.

continued segregation that is consistent with residential segregation patterns.⁴⁸ Very few white children remain enrolled in Chicago Public Schools, and those who do, largely enroll in selective enrollment or magnet schools. According to the CAFHA, white and Asian students are over-represented in schools with application requirements, like testing, while black and Hispanic students are underrepresented in these schools.⁴⁹ Moreover, racial disparities, CAFHA shows, are even more pronounced based on school location and network.⁵⁰ This disparity disproportionately affects people of color, who have higher rates of poverty and are more likely to be renters affected by substandard housing and frequent relocation.⁵¹ Although surveys of parents largely show that they want their children to attend diverse schools and teachers widely recognize the benefits of diverse schools⁵², “school choice” programs do not provide greater diversity in Chicago. Diversity thus must be seen as an asset to the learning environment, complete with guidance for sustaining diversity to individual schools.

Without adequate civil rights policies and outreach efforts in place, parents who have the most power and resources get the “best” choices. More affluent parents—who are disproportionately white—have wide social networks that allow their children to access the higher performing schools, thereby expanding “school choice” for this subsection of society only. When not provided with incentives or options to choose

⁴⁸ Whet Moser, “Chicago: Less Segregated, Still really Segregated” *Chicago Magazine* (January 31, 2012) <http://www.chicagomag.com/Chicago-Magazine/The-312/January-2012/Chicago-Less-Segregated-Still-Really-Segregated/>

⁴⁹ Chicago Area Fair Housing Alliance, *supra* 14.

⁵⁰ *Id.*

⁵² Civil Rights Project, “UCLA Report Links School Integration with Positive Community Relations” *available at* <http://civilrightsproject.ucla.edu/news/press-releases/crp-press-releases-2012/teachers-survey-positive-leadership>

otherwise, white parents, in particular, choose segregated schools.⁵³ Meanwhile, parents of color also end up choosing more racially segregated schools in part because they have few other choices.⁵⁴ The patterns of segregation in housing coupled with school choice policies that lack outreach and transportation does not aid parents in choosing more diverse schools; instead, they exacerbate segregation.

Conclusion

As Chicago Public Schools continue to be segregated, low-income children of color continue to lag behind their more affluent and white counterparts. Segregation, unaffordable housing, and poor-quality housing are not the only barriers to a child's educational opportunities and performance, but these factors significantly have an impact on a child's access to good neighborhood schools and the child's ability to learn. So long as our neighborhoods are segregated, Chicago's schools will remain segregated as well. Education and housing advocates must work together to support stable, healthy, and integrated communities. Advocates must understand and anticipate the shifts in racial and economic composition of neighborhoods in Chicago, whether through gentrification, white flight, or re-segregation. Preventing segregation of schools and communities requires coordinated efforts of policy makers at the local and state level with an eye toward the intersection of housing and education in building vibrant communities.

⁵³ Wells, *supra* 37.

⁵⁴ *Id.*