

“Not the Bus, But Us”: George W. Bush and School Desegregation

By Larry McAndrews

In 1982 civil rights activist Rev. Jesse Jackson criticized President Ronald Reagan’s attacks on busing to coerce school desegregation for targeting “not the bus, but us” (Wolters, 1996). Two decades later, the United States Supreme Court ended the thirty-two-year-old Charlotte, North Carolina, plan which had launched the era of court-ordered busing (Charlotte-Mecklenburg Schools). The same year, President George W. Bush signed the *No Child Left Behind Act*, which authorized federal funding and state testing of the nation’s public school students. In lieu of busing, this law was also targeting “us,” the largely minority underclass for whom Jackson purported to speak in 1982. Yet this time the Republican president was not implicitly assaulting minorities; he was seeking to aid them. Despite this significant change in policy, however, one outcome remained the same: public schools increasingly divided by race and class.

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This article will provide a brief history of the school desegregation policies of Presidents Dwight Eisenhower through Bill Clinton, based on secondary and primary

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sources, then examine the initial school desegregation efforts of President George W. Bush, based largely on contemporary primary sources. It argues that the early returns on the Bush Presidency show that despite his genuinely good intentions, President Bush, like his predecessors, has been unable to overcome this difficult history of racial segregation in the nation’s public schools.

George W. Bush would become the first Republican president to fight a “war on poverty,” yet only the latest president of either party to struggle in the battle for school desegregation. In many ways, for a variety of reasons, this battle was over before it began.

The History of Presidents and School Desegregation

Each president in the five decades preceding Bush fought school segregation in his own way. Dwight Eisenhower and John Kennedy acted belatedly yet forcefully while Lyndon Johnson moved quickly yet ineffectively against *de jure* school segregation. Richard Nixon virtually eliminated *de jure* school segregation, but accepted *de facto* separation. Gerald Ford and Jimmy Carter, like Nixon, denounced busing to coerce school desegregation, but did little to stop it. Ronald Reagan and George H. W. Bush spoke and acted so firmly against court-ordered busing that Bill Clinton, who also opposed compulsory school desegregation, wouldn’t even have to mention it.

On May 17, 1954, in *Brown v. Board of Education*, the United States Supreme Court unanimously repudiated *de jure* school segregation. The enforcement of this decision fell first to Republican president Dwight D. Eisenhower, who disagreed with the ruling as a violation of states’ rights and an invitation to the massive resistance which followed (Roark, 2002). Eisenhower much preferred the second *Brown v. Board of Education* decision a year later, which permitted Southern state governments to desegregate their public schools “with all deliberate speed.”

Eisenhower nonetheless dispatched federal troops to enforce *Brown* at Central High School in Little Rock, Arkansas in 1957, desegregated the nation’s capital and military bases, and established federal civil rights agencies through the Civil Rights Acts of 1957 and 1960. When he left office in 1961, however, only 0.2 percent of Black children in the Deep South attended desegregated schools (Burk, 1984).

After two and one-half years of failing to enact federal aid to elementary and secondary education, in part because of the opposition of Southern conservatives to funding desegregated schools and resistance by Northern liberals to funding segregated schools, Democratic President John F. Kennedy in June 1963 finally opted to separate education from civil rights in proposing a stand-alone civil rights law. With two-thirds of the public now in favor of school desegregation, this bold new approach would be popular (McAndrews, 1991). And with Jim Crow under siege, it would be historic.

Thirteen months later, in the aftermath of Kennedy’s assassination, Democratic President Lyndon Johnson signed the Civil Rights Act of 1964. Title IV of the Act empowered the Justice Department to litigate school desegregation cases, and

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Title VI permitted the Department of Health, Education, and Welfare to withdraw monies from segregated schools. At the time of its enactment, only one percent of African-American children in the South were attending desegregated schools (Douglas, 1994).

The Civil Rights Act, by resolving the wrangle over federal funding of segregated schools, helped clear the way for the Elementary and Secondary Education Act (ESEA), which Johnson signed on April 9, 1965. The first comprehensive federal aid to primary and high schools, the ESEA dispersed over 1 billion dollars, ostensibly targeting disadvantaged public school pupils (McAndrews, 1991). Though ninety percent of the nation's school districts received ESEA monies, and the Johnson Administration would cut off ESEA monies to 125 racially segregated school districts, it succeeded in desegregating only one-third of the formerly all-black schools in the South (Halperin, 1995).

Two years after Republican Richard Nixon entered the White House, the Supreme Court for the first time upheld intradistrict urban-suburban busing to compel public school desegregation, in *Swann v. Charlotte-Mecklenburg School District*. Three years later, however, in *Milliken v. Bradley*, the Court outlawed interdistrict urban-suburban forced busing. In between denouncing *Swann* and extolling *Milliken*, Nixon quietly desegregated the nation's public schools. When the Watergate scandal forced his abrupt resignation in August of 1974, only nine percent of African American children attended all-Black schools in the South (Safire, 1975).

With the popular end of *de jure* desegregation all but achieved, Republican President Gerald Ford continued Nixon's verbal attacks on the unpopular means of furthering *de facto* desegregation—forced busing (Formisano, 2004). Yet he resisted sending federal troops when violence greeted court-ordered busing in Boston and Louisville (McAndrews, 1997). Far from calming the country, however, Ford inadvertently inflamed the busing controversy.

Democrat Jimmy Carter's response to busing was a calculated waffle—campaigning against it as a candidate in 1976 and 1980, yet enforcing it as a president in between. Contrary to the fears of civil rights leaders, the creation of the Department of Education in 1979 led to increased civil rights enforcement (Graham, 1998). "I looked upon them as a kind of continuum of what had been initiated under Lyndon Johnson," Carter said of his civil rights policies (Amaker, 1994).

Republican President Ronald Reagan was decidedly less ambiguous in his fierce opposition to busing and tentative support for school desegregation. He reduced the staff of the Department of Education, transferred Emergency School Aid Act desegregation monies to the open-ended ESEA Chapter 2 block grant, and resisted meeting with civil rights leaders until the seventh year of his presidency (Lamb). Court-ordered busing slowed, and public "magnet" schools (in which specialized curricula attract students of all races beyond their districts) grew a bit (Wolters, 1996). But perhaps Reagan's best potential desegregation strategy—nonpublic school choice—went the way of the other socially conservative planks in his campaign platform, dying of indifference and neglect (Rossell, 1990).

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Under Republican President George H.W. Bush, in *Oklahoma City v. Dowell* in 1990, the Justice Department for the first time argued against mandatory school desegregation before the Supreme Court, and won. The Bush Administration nonetheless broke with Reagan in contending that any examination of whether a court should relinquish control of a school district must study the residual effects of school segregation, including housing patterns (Greenhouse, 1991).

Democratic President Bill Clinton's Department of Education Office of Civil Rights doubled the number of investigations of civil rights complaints conducted during the previous administration while targeting overrepresentation of minorities in special education and underrepresentation of minorities in “gifted and talented” public school programs. The Clinton Justice Department similarly increased enforcement of civil rights laws. In 1995 in *Missouri v. Jenkins*, however, the Supreme Court confirmed the Clinton Administration's worst fears by rejecting not only compulsory busing, but court-ordered alternatives to busing such as magnet schools (N. Cantu, personal communication, June 22, 2004; Celis, 1994; Celis, 1995; Whitman, 1998).

Though Clinton never mentioned busing, he could not help but acknowledge the resegregation of the nation's public schools. In 1995 one-third of Hispanic and African-American children were attending schools with over ninety percent minority enrollment (Kumen, 1997). In 1997 Clinton lamented, “Too many Americans of all races have actually begun to give up on the idea of integration... For the first time since the 1950s, our schools are resegregating” (“Excerpts from President's Comments”).

The No Child Left Behind Act

Like Clinton, Republican President George W. Bush doesn't talk about busing. But unlike his predecessor, he doesn't acknowledge resegregation either. For seldom does this president even mention race. After conceding that his Administration had been slow to respond to Hurricane Katrina, which ravaged heavily Black New Orleans in August 2005, Bush bristled at charges of racism. “You can call me anything you want,” said the president, his voice cracking. “But do not call me a racist” (Interview of George W. Bush, 2005).

In Bush's color-blind vision of American education, there are not Black schools or White schools. There are only “failing” and “succeeding” schools. So when he introduced the first African-American Secretary of Education, Roderick Paige, the president cited Paige's background, not his race: “His mother was a librarian, and his dad was a school principal. His three sisters have dedicated their careers to education” (Bush, 2003). When he unveiled his *No Child Left Behind Act* (NCLB), the only statistic Bush cited did not allude to the public schools of Chicago, St. Louis, Cleveland, Detroit, and Baltimore, where over eighty percent of the students were Black or Latino, or to the seventy percent of African-American children in the country who attended predominately minority schools, but to the “high-poverty schools where nearly seventy percent of fourth-graders are unable to read at a basic level” (“U.S. Schools Turn More Segregated”, 2001; Bush, 2001).

Though Bush's lexicon did not include race, it nonetheless recognized "rights." Like Lyndon Johnson, Bush called education the "civil rights issue of our time." While, according to Bush, the Civil Rights Act of 1964 ended "the institutionalized bigotry which Dr. [Martin Luther] King fought," the ESEA of 1965 had failed to address the "soft bigotry of low expectations." So building on the aborted efforts of Ronald Reagan and George H. W. Bush to enact nonpublic school vouchers for the poor, this president pledged that public school spending on Title I of the ESEA would increase "as much in the first two years of my administration as it did in all the previous eight years combined" (Bush, 2001, 2004).

Unlike in the past, however, Bush's legislation attached annual reading and mathematics testing requirements to his distribution of federal aid. The law gave the schools three years, with money for tutoring services, to improve their test scores. If they did not, parents would be free to transfer their children from "failing" schools to other public schools, and the federal government could require states to improve sanctions on "failing" schools. "An equal society," said the president, "would begin with equally excellent schools" (Bruni, 2001). Though it passed with overwhelmingly bipartisan support (381-41 in the House of Representatives, 87-10 in the Senate), this most recent renewal of the ESEA (Congress had passed, and Clinton had signed, an extension in 1994) would invite criticism from some advocates for minority schoolchildren (DeWar, 2001). "Even the hardest-working teachers and their children will not know success," educator Jonathan Kozol and Minnesota Democratic Senator Paul Wellstone (2001) explained their opposition to the legislation, "until we give our poorest schools the tools that affluent schools already have at their disposal."

Bush's plan had also included vouchers, backed by a majority of Blacks and Whites as a vehicle to transfer minority students from largely segregated public schools to largely desegregated nonpublic schools in many cities. But the new president's feeble reminder that "I made my opinion very clear in the course of the campaign and will take my opinion to the Hill and let folks debate it," foreshadowed the early demise of vouchers in the House Education and Workforce Committee (Bush, 2001).

Early Effects of the No Child Left Behind Act

The early returns on NCLB were mixed. The 2003 National Assessment of Educational Progress (NAEP) tests showed an average rise in African-American students' mathematics scores of six points for fourth-graders and two points for eighth-graders, while Latino fourth-graders improved by eight points and eighth-graders by three points, since 2000. In reading, however, African-American fourth-graders showed no improvement, eighth-graders declined by one point, and Latino fourth and eighth graders showed no change, from 2002. In both math and reading, African-American and Latino schoolchildren lagged behind their Asian and non-Hispanic White counterparts ("The Nation's Report Card," 2003).

A year later, nine-year-old students from all racial groups improved consider-

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ably from 1999 in their NAEP math scores; their reading scores were the highest on record; and the gap between non-Hispanic whites and Hispanics narrowed considerably. Among seventeen-year-olds, however, the average reading and mathematics scores for all groups remained basically the same as in 1973. The typical Black or Latino seventeen-year-old scored eighty points lower than the typical White student, and was four years behind his or her non-Hispanic White or Asian classmates. In five of the seven subjects tested by the NAEP, most African-American seventeen-year-olds scored in the lowest category—“below proficient” (“The Nation’s Report Card,” 2004). Bush’s second-term Secretary of Education, Margaret Spellings, hailed the primary school data as “very, very encouraging,” but added that the secondary school numbers showed that “we have work to do there” (Thernstrom & Thernstrom, 2004).

The Selling of the No Child Left Behind Act

In enacting NCLB, President Bush awakened the nation to the “achievement gap” between majority and minority schoolchildren. To Bush, however, the disparity was more about class than race. “From now on,” the president announced, “schools in low-income neighborhoods will have the same expectations as everyone else” (Bush, 2002).

For the rest of his first term, the Bush message resonated throughout the country, even in the unlikeliest of places. Child advocate Freeman Hrabowski, president of the University of Maryland, Baltimore County, and critic of the “underfunded” NCLB, nonetheless conceded the significance of exposing the plight of minority schoolchildren. “I’ve been in dozens of states talking to school boards, and in every case one of the critical priorities has been closing the achievement gap.” Robert Linn, co-director of the National Center for Research on Evaluations, Standards, and Student Testing, while “very critical of NCLB on other grounds,” saluted the law’s requirement that student test scores be classified along racial lines (Dillon, 2005).

Two hundred fifty-seven principals and 5500 teachers in California public elementary schools, surveyed by the education think tank Ed Source in 2005, rated “lofty standards for all students, clear measurable goals, a consistent curriculum, and a staff that pores over data to see where teachers and students can improve” as the best way to close the “achievement gap.” The poll’s median sample school was one in which seventy-eight percent of students participated in free and reduced-price meal programs, forty percent did not speak English as a first language, and only eleven percent had parents who graduated from college (Jackson, 2005). The Bush Administration’s spotlight on the “achievement gap” was so bright that the public believed that the Republican party, which less than a decade earlier had wanted to close the Department of Education, was almost as interested in “improving public schools” as Democrats were (“GOP to Tout,” 2004).

Even the president’s rather muted message of support for nonpublic schools resounded throughout the nation. In 2002, in a 5-4 decision in *Zelman v. Simmons-*

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Harris, the Supreme Court upheld a Cleveland program under which ninety-six percent of the predominately African-American children attended religious schools. Borrowing from the rationale which had spurred Black state legislator Polly Williams to push Milwaukee's pioneer voucher scheme, African-American Justice Clarence Thomas pronounced nonpublic school choice a "civil right." In his concurring opinion, Thomas wrote, "While the romanticized ideal of universal public education resonates with the cognoscenti who oppose vouchers, poor urban families just want the best education for their children." Chief Justice William Rehnquist's majority opinion contended that parents were not receiving the "best education for their children in public schools" in which "only one out of ten Cleveland ninth-graders [was] able to pass a basic proficiency exam, [with] two-thirds of high school students dropping out before graduation [in] a district that could not meet one of eighteen state standards for minimal performance." Even the four dissenting Justices—John Paul Stevens, Ruth Bader Ginsburg, Stephen Breyer, and David Souter—conceded, "The record indicates that the [public] schools are failing to serve their objective" ("Vouchers Have Overcome," 2002; Lane, 2002).

As Bush campaigned for re-election in 2004, liberal African-American columnist Gregory Stanford (2004) of the *Milwaukee Journal-Sentinel* approvingly quoted Cory Booker, a Black Democratic former city councilman from Newark, New Jersey: "The only people who don't have [school] choice in America are people who can't afford it." Liberal African-American columnist Juan Williams (2004), writing in the *New York Times*, urged Bush not to "write off the Black vote," citing yet another poll by *Newsweek*, showing two-thirds of African Americans, two-thirds of Hispanics, and fifty-four percent of non-Hispanic Whites in favor of nonpublic school vouchers. Liberal African-American columnist Clarence Page (2004) of the *Chicago Tribune* wondered, after noting that fictional Democratic President Josiah Bartlett of television's *West Wing* had changed his mind to support vouchers, "Will we ever see a real-life Democratic president willing to go against his party's base, particularly the teachers union, to show the sort of statesmanlike independence that Bartlett did?"

A real-life Democratic mayor, Anthony Williams, the Black leader of an overwhelmingly Black city, did take on his party in supporting Bush's call for vouchers in the District of Columbia. In January 2004, both houses of Congress passed, and the president signed into law, a program granting \$7,500 vouchers to two thousand public school students in the nation's capital (Borsuk, 2003; Hsu & Blum, 2004).

Another Black Democratic mayor, Ray Nagin, permitted New Orleans to become what the *New York Times*' Susan Saulny (2006) called "an impromptu laboratory in school choice" in the aftermath of Hurricane Katrina. The Bush Administration and Congress extended vouchers to the city's twice-victimised public school students—over one hundred of New Orleans' virtually all-Black public schools were performing below state accountability standards before the storm.

Reminders of Race

If the Bush Administration would have preferred to continue talking about “achievement” and “choice” instead of race and resegregation, calendars, calculations, and constitutions would not allow it. The civil rights movement had not only come of age; it was aging. So by the time of the Bush Presidency, important anniversaries attracted the attention of the media and the public. And with every milestone which recognized how far the nation had come, there were numbers to remind Americans how far they still had to go, and words to restrict such movement.

August 26, 2003, was the fortieth anniversary of the “March on Washington” which made Dr. Martin Luther King, Jr. an icon and his “dream” a measuring stick. May 17, 2004 was the fiftieth anniversary of *Brown v. Board of Education*, which marked Topeka, Kansas, on the school desegregation map and consigned “separate but equal” to the dustbin of history.

The Joint Center for Political and Economic Studies, a liberal African-American think tank, commemorated the former occasion by noting that Black median household income and the percentage of Blacks in college were up, and the percentage of Blacks in poverty was down, in the four decades since Dr. King’s famous oration. But in all of these categories, Blacks continued to lag behind Whites (Clementson & Holmes, 2003).

The Topeka public schools marked the latter milestone by establishing another precedent—for the first time in 2004, their enrollment was over fifty-percent minority. At the predominately minority Williams Elementary School, forty-six percent of Latino, sixteen percent of African-American, but only eight percent of White fourth-graders had unsatisfactory scores on their standardized math exams. At predominantly low-income Highland Park High School, almost seventy percent of African-American and fifty percent of non-Hispanic White tenth graders had unsatisfactory scores on their standardized exams (Carr, 2004).

For the teachers and administrators in this Midwest city, keeping students “separate” was of less concern than making them “equal.” Despite the data, Jennifer Scott, principal of Topeka’s Scott Elementary School, maintained, “I don’t think we are saying integration didn’t work. I think we’re saying it isn’t for us right now.” Noting the school district’s preoccupation with smaller class sizes, phonics, and teacher-student interaction, Martin Gies, the principal of Williams Elementary School, added, “I think people in this country more and more are saying, ‘We’ve got them sitting side by side, but can we get them to make sure they’re all learning?’” (Carr, 2004).

Dale Cushinberry, principal of Highland Park High School, while defending *Brown*, nonetheless reminisced about the “nagging and nurturing” he received at the all-Black elementary school he attended in Topeka before the decision: “Today we have this reluctance to communicate with parents. In those days, it was natural.” Were Cushinberry’s negotiations to transform Highland Park into a magnet school

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intended to create more racial balance? “Our intent,” replied the principal, sounding a lot like the president, “is to close the achievement gap” (Carr, 2004).

Many veterans of the civil rights movement which the *Brown* verdict ignited and the March on Washington accelerated insisted, however, that the numbers do not lie. “In 2004, there are still vestiges of the 1950s and 1960s,” Julius Chambers, an attorney for the National Association for the Advancement of Colored People and director of the University of North Carolina’s Center for Civil Rights, reflected fifty years after *Brown*. Gary Orfield, co-director of Harvard’s Civil Rights Project, observed the fiftieth anniversary of *Brown* by lamenting that while the most segregated public schools were in the North—Illinois, New York, California, and Michigan had the lowest percentage of African Americans in majority-White schools—the twenty school districts where resegregation was occurring the fastest were in the South. “People say it doesn’t matter if a Black student is sitting next to a White student,” said Orfield, as if to rebut the Topeka educators, “but it does matter when you’re in a middle-class school where almost everyone goes to college” (Glanton, 2004).

With few exceptions, Orfield continued, “all-Black or all-Latino schools have concentrated poverty. That relates to lower test scores, a higher drop-out rate, fewer course offerings, and fewer connections with colleges.” Sean Reardon, a sociologist at Pennsylvania State University, challenged the argument that this new “separate-but-equal” was somehow better than the old, observing that *de facto* school desegregation “did not work before the *Brown* decision, and there is plenty of history to show us that it would not work fifty years later” (Glanton, 2004).

The rhetorical and statistical acknowledgements of the *Brown* anniversary even compelled the Bush Administration to utter the word it had largely avoided saying for most of its first term—segregation. “Sadly,” Secretary of Education Roderick Paige conceded, “The vestiges of segregation are alive and well in our country today.” He called the NCLB the “logical next step to *Brown v. Board of Education*,” noting that while “*Brown v. Board of Education* gave every student in America a seat in the classroom, NCLB guarantees each of these students an education.” He criticized the law’s detractors, some of them “the very critics and organizations that applauded *Brown* and worked to implement it.” And he linked the “achievement gap,” about which the Bush Administration had said much, to “segregation,” about which it had said little. “In the greatest country in the world we have created two education systems—separate and unequal. Some students are taught well while the rest—mostly poor and mostly minority—flounder or flunk out,” said the secretary. “No Child Left Behind is an aggressive rapid action program to eliminate racism and segregation by closing the achievement gap” (“Remarks of Secretary Paige,” 2004; “Bush Officials Visit,” 2004).

Racism, Paige explained, manifests itself in low expectations, and the high standards maintained by NCLB would go a long way toward eradicating it. Yet while using the word, the secretary offered no explanation as to how NCLB would attack segregation (“Remarks of Secretary Paige,” 2004). “Higher standards, higher expectations are repeatedly demanded of urban principals, and of the teachers

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and students in their schools,” writes Jonathan Kozol (2005), “but far lower standards—certainly in ethical respects—appear to be expected of the dominant society that isolates these children in unequal institutions.” For the Bush Administration, bridging the achievement gap would go a long way toward narrowing the country’s racial divide as identified in the statistics accompanying the remembrances of the march and the decision; for its critics, narrowing the racial divide would go a long way toward bridging the achievement gap.

Nonpublic school choice, its partisans hoped, could do both at the same time. But only if it was allowed to occur. One major criticism of nonpublic school choice programs is that, by including religious schools, they violate the separation of church and state. The First Amendment to the U.S. Constitution states, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” Many state constitutions also include so-called Blaine Amendments, modeled after Maine Republican Representative James Blaine’s failed effort to amend the U.S. Constitution in 1875 by outlawing public aid to religious schools (Dillon, 2006).

The other major line of attack on nonpublic school choice is that it robs public schools to pay nonpublic schools. This is the primary argument of the leading public school teachers’ unions, the American Federation of Teachers (AFT) and the National Education Association (NEA), as well as the American Civil Liberties Union (ACLU) and National Association for the Advancement of Colored People (NAACP), all closely linked to the Democratic Party. It is also the source of the provision in many state constitutions that schools receiving state aid must be “uniform.” Since private schools are not subject to the same regulations and standards, they do not meet the threshold of “uniformity” with public schools necessary to receive funding (Dillon, 2006). This argument effectively turns Bush’s advocacy of nonpublic school choice on its head, by implying that largely unregulated private schools, rather than offering a superior alternative to public education, often provide an inferior one.

In January 2006 the Florida Supreme Court voided a voucher program inaugurated by the president’s brother and opposed by the AFT, NEA, ACLU, and NAACP, on precisely these grounds. Republican governor Jeb Bush’s Opportunity Scholarship Program, by using public money to pay the tuition of 730 students who left “failing” public schools for private schools, “diverts public dollars into separate private systems parallel to and in competition with the free public schools that are the sole means set out in the Constitution for the state to provide for the education of Florida’s children,” said the court. The ruling not only outlawed the voucher plan, but threatened the state’s over 300 charter schools, public schools granted special charters with fewer of the regulations and less of the bureaucracy which often undermine traditional public education. Half the students in the nation’s public charter schools are minorities, compared to one-third of traditional public school pupils. Calling the decision a “blow to educational reform,” Governor Bush promised to explore all avenues of legal redress, including amending the Constitution (Dillon, 2006; “Closing the Achievement Gap,” 2004).

Salespersons of the No Child Left Behind Act

If calendars, calculations, and constitutions reinforced or refuted the Bush Administration's message, the messengers themselves in many ways shaped these outcomes. Secretary Paige, a popular choice in the education community when the president selected him, gradually lost credibility and eventually lost his job. In February 2003 a Houston television station reported that the public school district where Paige had served as superintendent from 1994 to 2001 was not the model he and the president were touting. Although a dozen of Houston's poorest schools were reporting dropout rates as low as one percent, a state audit of sixteen of the city's schools discovered 3,000 unreported dropouts. The audit exposed the unintended consequences of the payment of bonuses to school principals and district administrators which Paige instituted to encourage higher attendance and fewer dropouts in the Houston schools (Winerip, 2003).

In the same year, President Reg Weaver of the NEA, the leading public school teachers' organization, which had taken no official position on the passage of NCLB, called the law "an unmitigated disaster," and threatened to sue the federal government over the "unfunded mandates" of its testing, tutoring, and transferring provisions (Toppo, 2003). Paige responded to the threat by labeling the NEA a "terrorist organization," a characterization for which he quickly apologized (Toppo, 2004). But the damage had been done, and Bush would replace Paige at the outset of his second term with domestic policy advisor Margaret Spellings, who had shepherded Bush's education reforms when he was governor of Texas. As Paige had been, Spellings was a popular selection, even winning the praise of Democratic Senator Edward Kennedy of Massachusetts, who had helped craft NCLB but had since strongly criticized its lack of funding. The loss of Paige, however, meant that not only would "segregation" remain largely unsaid, but the African American who had not only said it but had lived it would no longer be speaking for the Administration.

The most important messenger for the Bush Administration, of course, was the president himself. As an "education governor," Bush had raised public school spending and standards in Texas (Ide, 2000). As president, Bush christened his first week in office "Education Week," as he toured schools, visited a Head Start class, attended Secretary Paige's swearing-in, met with Congressional leaders of both parties on educational issues, and unveiled NCLB (Allen, 2001). Eight months later, however, the terrorist attack on the United States understandably relegated issues like education to the background. The subsequent invasions of Afghanistan and Iraq, as well as a slow recovery from the recession of 2000-2001, distracted the president, and the country, even more. By the time of Bush's re-election campaign in 2004, polls showed foreign policy as the primary concern of American voters, and education as less salient than it had been four years earlier (Millbank, 2001).

But 9/11 was not the only saboteur of the Bush education message. The bur-

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geoning federal deficit caused the Administration to forgo spending six billion of the 18 billion dollars authorized for NCLB in FY 2004, providing fodder for Democratic presidential and vice-presidential candidates Senator John Kerry of Massachusetts and Senator John Edwards of North Carolina, who voted for the law in 2001 but were attacking it in 2004 (Reichman, 2004; Raven, 2004). Less predictably, the unprecedented federal presence in the nation's schools mandated by NCLB incurred the wrath of states' rights Republicans like Senator George Allen of Virginia (2005), who decried the law's "self-defeating micromanagement," and the majority of Utah's legislature, one of fifteen state assemblies challenging the law's intrusion into their schools (Cohen, 2005). "We in Connecticut do a lot of testing already, far more than most other states," said Republican governor Jodi Rell, in announcing in August 2005 that her state was joining three other states and the NEA in a lawsuit against NCLB. "What we don't need is a new laundry list of things to do—with no new money to do them" (Dillon, 2005).

There would be no more "Education Weeks" like his first week in office, and the president began his second term talking about reforming social security, not education. And though his Cabinet included an African American who had attended segregated public schools in the Jim Crow South, it was no longer his Secretary of Education. Perhaps fittingly, during the "war on terror" which had turned the country's attention to foreign policy and helped re-elect Bush, it was Condoleezza Rice, his Secretary of State.

Conclusion

In his September 2005 article, "Still Separate, Still Unequal: America's Educational Apartheid," Jonathan Kozol conveys the irony of visiting inner-city public schools named after Jackie Robinson, Martin Luther King, Jr., Thurgood Marshall, and other heroes of the crusade to desegregate American society, only to find that the students are almost all Black or Hispanic. To add insult to injury, Kozol relates, there is a kind of conspiracy of silence among "most of the major arbiters of culture in our northern cities to confront or even clearly name an obvious reality they would have castigated with a passionate determination in another section of the nation fifty years before."

George W. Bush is the chief conspirator. But for him, as for most Americans of whatever race, pre-*Brown* America is a distant memory. A lot of history, and many cases of court-ordered busing, separates 1954 from 2006. And if the country ultimately overcame the massive resistance to *Brown*, it ultimately surrendered to the massive resistance to *Swann*.

South Boston's Joseph Tynan Elementary, where ninety-two percent of the students voluntarily ride the bus to school, is a remnant of the *Swann* era. The school's standardized test scores are above average, its classrooms are well-equipped, and its principal is dedicated. "This is still America, where you can go where you want to," says Carlene Shavis, the Black principal whose student body is fifty-six per-

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cent Black, twenty-three percent White, fourteen percent Hispanic, and six percent Asian. “They have a choice” (Vaishnav, 2004).

East Boston’s Hugh O’Donnell Elementary, where eighty-four percent of the students can walk to school, is a reaction to the *Swann* era. Some of the students call their teachers “mommy.” Parents confide in the teachers, and the teachers keep close watch on the children. “That’s a connection you have with parents on a daily basis that you don’t get in a bused school,” says Joan Rego, who teaches the fifty-seven percent Hispanic, twenty-eight percent White, eight percent Asian, and seven percent Black student body. “I think I know more people in East Boston than I do in Weymouth, where I live” (Vaishnav, 2004).

The Boston examples show that “busing” and “quality education,” “desegregation” and “high standards” are neither mutually exclusive nor incompatible. Those who romanticize the pre-*Brown* era tend to forget that before the Supreme Court decision, Linda Brown rode a bus to school. Those who romanticize the *Swann* era tend to forget that Linda Brown went to court so she did not have to ride that bus. And those who condemn how President George W. Bush fails even to acknowledge the reality of school resegregation too often fail to understand why most Americans are not demanding that he does. The post-1954 history of presidential school desegregation efforts, as well as the early impact of the NCLB, show that after trying it during the 1970s and 1980s, the country has rejected mandatory busing to achieve school desegregation yet has only intensified its demand for quality public schools for all children regardless of race. While most of the public and the president would prefer racially mixed schools, they are more concerned about the level of education children are receiving in resegregated schools.

On the fourth anniversary of his signing of NCLB, President Bush visited North Glen Elementary School in Glen Burnie, Maryland, where student test scores were on the rise. “I’m just not going to let it happen,” said the president about amendments proposed by Maine Republican Senators Susan Collins and Olympia Snowe to loosen the law’s grip on local school districts. “We’re making too much progress” (Bumiller, 2006).

“Nobody knows whether the act is working,” replied John Jennings, former Democratic Party aide on Capitol Hill and currently president of the Center for Education Policy. The president was “claiming more credit than he can for the act,” said Jennings. Like other NCLB critics, however, he concluded that “the act has been successful in focusing attention on closing the achievement gap” (Bumiller, 2006).

The picture accompanying the story in the *New York Times* showed President and Mrs. Bush, alongside teacher Laneie Taylor, facing a class of fifth-graders. Only two students were visible—a White boy and a Black boy, sitting in the front row of the classroom, separated only by the teacher’s desk. Or so it appeared. Too many White and Black students remain separated by the schools they attend and the quality of education they receive. The George W. Bush Administration, while reluctantly acknowledging the former separation, has focused most of its attention on the latter. Only time will tell if the post-busing era is any more successful than

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its precursor in attacking the stubborn racial disparity of academic achievement in the nation’s public schools.

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