

**Immigrant Incorporation in Suburbia:
The Role of Bureaucratic Norms**

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In 2000, 52 percent of immigrants resided in suburbs.¹ Thanks in part to the suburbanization of immigrants, the percentages of minorities in suburbs has increased dramatically as well: in 2000 33 percent of blacks, 45 percent of Latinos and 51 percent of Asian-Americans lived in suburbs.² These figures indicate that the suburbanization of immigrants and minorities is approaching that of the population as a whole. Nonetheless, suburbs, like the nation as a whole, are still largely white:³ 54 percent of whites live in suburbs, making up 75 percent of the suburban population.⁴ Other racial and racial groups moving to suburbia are entering a context where they are, for the most part, and for the moment, clearly minorities.

The question addressed in this article is how do suburban institutions react to increasing ethnic and racial diversity (much of it driven by immigration), in the context of white domination of these institutions? With the Washington suburbs of Fairfax and Montgomery counties as its case studies, this article looks at the interplay between demographic shifts, intermediary internal, external and contextual variables, and the resulting changes in bureaucratic policies and structures. This article examines this interplay in one key suburban policy arena—education—to untangle what variables explain why change occurs, and when and what kind of change takes place in local policies and structures in response to demographic shifts.

¹ Census 2000 Summary File 1, 100 Percent Data. Versus 48 percent in 1999; see A. Dianne Schmidley and Campbell Gibson, Profile of the Foreign Born Population in the United States. Current Population Reports, U.S. Census Bureau (U.S. Government Printing Office, Washington D.C., 1999).

² Census 2000 Summary File 1, 100 Percent Data. Jesse McKinnon and Karen Humes, Black Population in the United States, March 1999 Current Population Reports, U.S. Census Bureau (U.S. Government Printing Office, Washington D.C., 2000); Karen Humes and Jesse McKinnon, Asian and Pacific Islander Population in the United States, March 1999 Current Population Reports, U.S. Census Bureau (U.S. Government Printing Office, Washington D.C. 2000); www.census.gov/populationsocdemo/hispanic/cps99/tab16-1.txt

³ Meaning ‘non-Hispanic’ white; ‘black’ in this paper refers to ‘non-Hispanic black,’ and ‘Asian’ to ‘non-Hispanic’ Asian.

⁴ That 75 percent is greater than the 69 percent whites make up in the general population, meaning whites are somewhat over-represented in suburbia.

The evidence for the analysis is drawn from a variety of sources, including local media, government and non-governmental publications and the like, but is primarily drawn from 114 interviews with actors in the public and private sector conducted in the Washington D.C. area in 2003-2004.⁵ Twenty-seven of these interviews were with school administrators, school board officials, PTA leaders and other actors in the education field. The argument presented here is based on these interviews, though for the sake of clarity of presentation, illustrations are drawn largely from the interviews with the superintendents of public schools in Fairfax and Montgomery Counties.

The puzzle that emerges from the evidence is that the usual language of interests does not easily explain the policies schools in the DC metropolitan area choose to pursue. In an era of zero-sum budgets, schools choose to redistribute funding in order to accommodate the needs of newly-arriving racially and ethnically diverse students, potentially alienating their politically engaged white middle-class constituencies. Why school administrators chose this politically perilous path, rather than simply follow the status quo, is the heart of the article.

Immigration to Metropolitan Areas in the US

Metropolitan areas are not all alike. For instance, the 102 metropolitan areas in the United States with more than 500,000 residents in 2000 (which account for 62.4 percent of the US population) have quite distinct demographic patterns, falling into three distinct groups:⁶

- Fifty of these 102 metropolitan areas are ‘white-dominant’ metros, in which white Americans make up a large majority of the area’s population. These 50 white-dominant metros have 51 million people, or 18 percent of the US population.

⁵ The author conducted these interviews, together with Lorrie Frasure of the University of Maryland and Junsik Yoon of George Washington University.

- Twenty-five of these large metropolitan areas are ‘black/white’ metros, where African-Americans and whites are the large majority of the metro areas’ populations. These 25 black/white metros include 39.8 million people or 14 percent of the population in the US.
- Thirty-five metropolitan areas are ‘melting pot’ metropolitan areas, with substantial numbers of racial/ethnic groups other than whites or blacks, and at times with the combined non-white racial/ethnic groups outnumbering whites. These 35 metropolitan areas are often among the largest metropolitan areas in the US, and, in addition, are often immigrant gateways, attracting much of the immigration to the United States since 1965. These ‘melting-pot metros’ account for 30 percent of the US population.

Much of the increasing racial and ethnic diversity in suburbia is taking place in the last group, in the 35 melting-pot metros accounting for 30 percent of the population in the United States, where a combination of regional and international migration has combined to produce multi-ethnic neighborhoods, schools and workplaces.

Ethnic and Racial Change in the Washington DC Metropolitan Area

Metropolitan Washington D.C. is one of these thirty-five ‘melting pot’ metropolitan areas. Like its brethren, over the last twenty years it has experienced rapid demographic change. Its population grew by 16 percent over the last ten years (a larger increase than any other comparable metropolitan area, outstripping growth in Los Angeles, New York, and Chicago, for instance). In 2000 the metropolitan area numbered 5.4 million people, up from 4.7 million in 1990, making it among the dozen largest in the U.S., though not nearly as large as the two behemoths of New York and Los Angeles. The D.C. metropolitan area is also overwhelmingly suburban; Washington D.C. accounts for only 10 percent of the region’s population. While the population of the

⁶ This typology is suggested by William Frey, “Melting Pot Metros: A Census 2000 Study of Suburban Diversity,” Brookings Institution, Center for Urban and Metropolitan Policy, June 2001.

District of Columbia itself has continued to shrink (by 6 percent between 1990 and 2000), the Northern Virginia suburbs grew by 25 percent, and those in Maryland by 17 percent.

Much of the growth of the region's population over the last decade has been due to the increase of immigrants and minorities (African-Americans, Asian-Americans and Latinos) in the greater Washington D.C. area. The D.C. metro region has ranked in the top ten immigrant recipient areas of the country since the early 1980s, and the D.C. suburbs have ranked high among the residential preferences of the nation's burgeoning black middle class. African-Americans are the largest minority group in the metro area, making up 22 percent of the population. Asian and Latin American immigrants and their descendants make up approximately 15 percent of the population. Salvadorans are the single largest immigrant group, but only make up 10.5 percent of the total immigrant population. The top ten immigrant nationality groups (from El Salvador, Vietnam, India, China, the Philippines, South Korea, Ethiopia, Iran, Pakistan and Peru) account for only half of all immigrants to the area (Singer x). The immigrant population in the Washington D.C. metropolitan area is somewhat more diverse than that of other major metro areas, but it is not atypical of suburban immigrant populations along the eastern seaboard.

Ethnic and racial minorities now make up more than 75 percent of the population in Prince George's County, and 40 percent of that in neighboring Montgomery County. In Northern Virginia, minorities constitute almost half of the population in Arlington and Alexandria (44 and 46 percent respectively) and a third of Fairfax County's population (32 percent). Minority populations vary considerably by municipality, but are present in substantial numbers even in the outlying suburbs in areas like Loudoun County (17 percent minorities).



The metro region is often thought of as comprised of three distinct locales: the slow-growth ‘urban core’ (the District of Columbia, Arlington county, and the city of Alexandria); the ‘inner suburbs’ (Montgomery and Prince George’s counties in Maryland, and Fairfax county in Virginia); and the fast-growing ‘outer counties’ to the west (Virginia’s Loudoun and Maryland’s Frederick counties) (see Figure 1). Though growth is most evident on the margins of the metro area, the largest employment sectors, and hence populations, are in the inner suburbs. The Washington area’s two largest ‘inner suburbs,’ Fairfax county in Virginia, and Montgomery County in Maryland, are the setting for the analysis presented here.

Institutional Response to Demographic Change

As the demography of suburbia has changed –both nationally and in the DC metro area—it may very well lead to other changes as well. Demographic shifts, in all likelihood, trigger responses in bureaucratic policies and structures (see Figure 2).

Figure 2:
Demographic shifts -> changes in bureaucratic policies/structures

As population changes, presumably local policies and structures change in response, as indicated by changes in funding, staffing, services and accountability structures. For instance, with population change and increases in racial and ethnic diversity, funding priorities may shift so that funding is re-allocated from one budgetary line-item to another, funding may be increased relative to other funding, or funding may be protected from budget cuts. Likewise, population change may lead to the creation of new, staffed programs or the re-definition of existing staff lines, or the offering or expansion of new services. New accountability structures may be developed crossing or linking various administrative departments.

The question remains, why should there be any institutional response at all to demographic change, as long as there is a dominant majority governing coalition in place that might wish to slow or block changes in the allocation of resources and spending? If change does occur, what are the intermediary variables that explain when and what kind of change takes place in local structures and policies in response to demographic shifts? Among political scientists, the usual explanatory narrative for policy change in response to demographic shifts privileges the role of electoral representation (see Figure 3).

Figure 3:
Demographic shifts -> $f(\text{political representation})$ -> changes in
bureaucratic policies/structures

Consider, for example, Dahl's classic Who Governs? In this book, Dahl traces policy and structural change to the political system, and argues that that change occurs only as newcomers shift from their corporate ethnic loyalties to partisan mobilization in which

ethnicity plays at most a symbolic role.⁷ The double lesson of *Who Governs?* is that political representation precedes any substantive changes in policy, and that political representation for newcomers comes to fruition only over generations, and then only through the mobilization of interests.

However, this view seems to close off the possibility that local contexts might vary—for instance, if a local context has a history of receiving immigration, so that there is an institutional infrastructure of immigrant service organizations, or if there is already a native-born ethnic or racial minority in place when immigrants arrive. It also seems to assume that the electoral sphere is the primary (and perhaps the only) arena for policy change—while ignoring other avenues for change outside electoral politics that might be used by immigrants and their advocates as they seek to advance their interests.

A better way to model the causes of change in local structures and policies would be to see policy change not only as a function of demographic shifts, or of demographic shifts arbitrated through the electoral sphere, but of demographic shifts as mediated by a larger set of internal, external and contextual variables (see Figure 4).

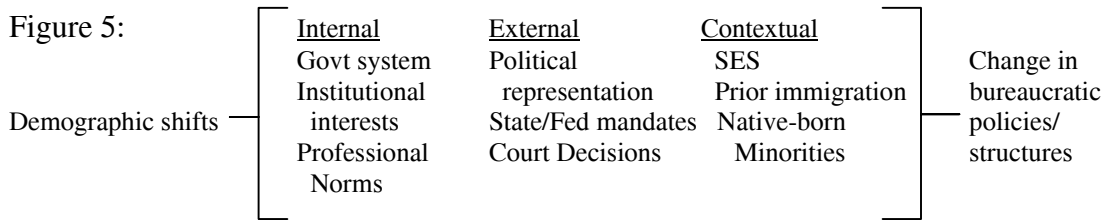
Figure 4:

Demographic shifts $\rightarrow f(\text{internal, external and contextual variables}) \rightarrow$
changes in bureaucratic policies/structures

Internal variables might include characteristics intrinsic to local governments and bureaucracies: the design of the governing system (council manager vs. mayoral systems, for instance), the institutional interests of bureaucrats (to increase their power or maintain their jobs), and the professional norms that define the culture of bureaucratic agencies. *External variables* include those forces that place pressure on bureaucracies to change, or present constraints on change. Among these are political representation in all its forms (electoral representation, campaign contributions, etc.), county budgets, court decisions, and/or external state and federal rules and mandates. *Contextual variables* are those factors such as the socio-economic characteristics of an area's inhabitants, the history of immigration, and the residence of native-born minorities which might shape the

⁷ Robert Dahl (1961) *Who Governs?* (New Haven: Yale University Press).

contemporary reception of ethnic and racial minorities to an area. An expanded diagram might look something like this (see Figure 5).



Using this model to help explain the kinds of policies chosen by local institutions in response to demographic shifts, we turn back now to Fairfax and Montgomery counties in the Washington DC area, and focus on a single, central policy arena—education.

Education in the DC Suburbs

Education has always been at the center of suburban politics. From their inception, the quality of schools in suburbia has been one of the principal selling points to new suburban residents. As Montgomery school superintendent Jerry Weast put it:

... the unwritten compact, if you will, is that you come here...[and] your child gets a good education and in return for that good education [you] will contribute to keep the system strong and viable.

This compact has been held to particularly strongly in the Washington D.C. metro area, in which three of the area's suburban counties rank among the ten wealthiest (highest income per capita) counties in the United States (Fairfax, Loudoun and Montgomery counties). In many other metropolitan areas, school governance is fragmented among multiple school systems, which may selectively include or exclude municipalities or unincorporated areas of counties. Washington DC area school systems, however, are, by and large, organized at the county level. The populations of these counties now exceeds, by far, the population of the region's central city, Washington D.C., which has fewer than a half-million residents. Fairfax County in Northern Virginia, alone, has more than a million residents, and Montgomery County in Maryland has almost as many.

The area's school systems reflect both their counties' wealth and population. Both the Montgomery and Fairfax county public schools rank among the top twenty largest school systems in the country (Fairfax County is twelfth largest; Montgomery County is eighteenth). Fairfax public schools, with 166,601 students in 2004, had a budget of \$1.67 billion for 234 schools. Of this \$1.24 billion, of 74.5 percent, was allocated by the county from its local tax (primarily property tax) revenue, with the rest coming equally from state and federal sources. In FY 2005, Montgomery County's public schools had a budget of \$1.59 billion for 139,203 students. 75.3 percent of these funds were budgeted by the county, with an additional 17 percent coming from the state and an additional 6.8 percent from federal sources.

The influx of a more multi-racial (and sometimes non-English speaking) population has posed some complications for the area's schools systems. Montgomery County, for instance, foreign-born residents in 2000 accounted for 26.7 of the county's population; 31 percent of the county's households did not speak English at home. The county's public school population hailed from 163 countries, speaking 123 languages. Eight percent of the county's students (12,000 children) were English learners, taking specialized English Speakers of Other Languages (ESOL) courses. In 2003, the county's public schools were, for the first time, majority-minority, with the student body 44.6 percent white, 22.1 percent African-American, 18.7 percent Latino and 14.3 percent Asian-American. The figures for Fairfax County's schools present a similar story—over the last twenty-five years, the public schools have become increasingly ethnically and racially diverse (see Figure 6).

Figure 6:
Public School Students, by Race/Ethnicity in 1980 and 2003

	White	Asian	Hispanic	Black
1980	87.7	4.1	1.8	6.3
2003	54.1	16.6	14.6	10.5

Figure 6 shows the dramatic change over a twenty-three year period: the proportion of Asian American students in the public schools quadrupled, the percentage of Latino kids in public schools increases seven-fold, and the percentage of blacks almost doubles. As

in Montgomery County, in Fairfax there are over 120 languages spoken in households around the county and 13 percent of the student body in ESOL programs, an indication of the impact immigration has had on the county.

The influx of minority children—black, Asian and Latino, many of them immigrants, some of them poor—threatened to disrupt the unwritten compact described by Weast. For one, these new students have lower test scores than their white native-born counterparts, and these lower scores could potentially lower the average test results for the county school system, and hence do damage to their national reputations and standing. This is what Weast referred to as ‘Simpson’s paradox’: the idea that scores for the school system’s traditional middle-class white students could be going up, but average scores could still be dragged down by the performance of lower performing students, many of them immigrants and minorities. In Montgomery County for example, in 2002 whites taking the SATs scored an average of 1159, while blacks averaged 906. The average scores for Latino students, for many of whom English is not their primary language, actually declined from previous years.⁸

Variation Across Counties?

The first expectation one might have is that the degree and mode of response to these demographic shifts on the part of the Montgomery and Fairfax county school systems would vary substantially. After all, Virginia and Maryland are, politically, quite different states. At the institutional level, Virginia is a ‘Dillon’s Rule’ state, keeping authority for local taxation (and hence spending) in the hands of the state legislature. Maryland, on the other hand, has delegated substantial powers to its localities. At the level of political culture, Maryland has a history of being a much more liberal state, politically. Politics tend to be dominated by the Democratic Party, and the starting point for discussions about ethnic and racial diversity usually begin from the starting positions of the liberal wing of the Party. Montgomery County also has more experience in

⁸ Nancy Trejos, “Area Students Did the Math, SAT Scores Show,” Washington Post, August 28, 2002; p B01.

handling ethnic diversity: as early as 1970, the county was receiving almost a third of all immigration to the area, a percentage not that different from what it receives today.

Virginia is, of course, a Southern state, with the history that entails. It has a generally more conservative political culture—recently passing laws, for instance, requiring that all public schools ‘prominently post’ placards informing passers-by that ‘In God We Trust,’⁹ and requiring the pledge of allegiance to be recited by students every day in class.¹⁰ The state legislature also passed a bill in 2002 which prohibited undocumented immigrants from attending state universities paying in-state tuition—illegal aliens were not be considered residents of the state.¹¹

In this kind of environment, as Fairfax school superintendent Domenech pointed out, immigrants and their children are unlikely to get involved in, much less challenge, the school system.

[M]any of them are undocumented and they are afraid of what might happen. Again, particularly in a very conservative community like here where the General Assembly in Virginia just a year ago was threatening to pass laws that would require the school system to report these kids to immigration and denying them access to state colleges and universities unless they could prove residency.

“That kind of stuff really makes you feel welcome,” he noted sardonically.

We have a lot of our problems with our kids who were college bound and then were scared shitless (pardon the expression, because it’s on tape) to apply to schools because they, that could lead to their families being tracked down and sent back home.

Domenech noted that Jerry Weast, his counterpart in Montgomery County “acknowledges that he does have a more liberal element than I do and so that it does make it easier for him to do some of the things that he does. I think Maryland, just that

⁹ Rosalind Helderman and Christina Samuels, “Virginia Schools Forge Ahead with National Motto,” Washington Post, June 28, 2002, p. B01.

¹⁰ Craig Timberg, “House Weakens Pledge Measure,” Washington Post, February 22, 2001, p. B01.

¹¹ Tom Steinfeldt, “Activists, Officials Urge Delay on Immigrant Legislation” Fairfax Journal, January 24, 2003. However, this legislation was vetoed by the governor: R.H. Melton, “Warner Vetoes Tuition Curbs,” Washington Post, May 1, 2003, p. A01.

Potomac, does create a significant division in cultures between the two places. It may be just a river, but we are like worlds apart.”

Despite this, one surprising finding in this study is how little these differences seemed to matter in the manner in how schools responded to changing racial and ethnic diversity. In Fairfax, despite being a more conservative county in a much more conservative state, school administrators accomplished much of what they wanted to do, in some cases by simply calling what they wished to do by a different name. Domenech, Fairfax County’s school superintendent, recalled, for example, that:

the word bilingual education is still not utterable in Fairfax County. So, I said, fine. But I learned that we had some outstanding language emerging programs, which are bilingual education, except that unlike the traditional bilingual education program that’s geared to the language minority child, the language emerging program is seen as an enrichment program, almost a GT program for American kids who want to speak a second language, will be taught in that language and, in this case, it’s French, it’s German, it’s Japanese and it’s Spanish.

Well, we use that opportunity to take the Spanish component of that and create dual language programs where we’ve provided many of our Spanish-speaking students the opportunity to learn in Spanish with their American counterparts who were learning Spanish while they continued to learn English. We extended that program to the kindergarten level and we have a number of dual language kindergartens in the district, which are doing very well, and we’re still not calling it a bilingual education.

Although there are significant differences in regional political cultures and institutions, in both counties school administrators implemented remarkably similar programs addressing the challenges brought about by changing demographics. The fact that there isn’t greater variation in the institutional response of the education systems in these two counties, despite the very different political contexts of their states, is the first indication that we may not be seeing (at least as political scientists see it) politics as usual.

The Schools' Response

By the mid-1990s both the Montgomery and Fairfax school systems had implemented responses to the demographic shifts taking place. In Montgomery County the school system's response took the form of commitments to schools in what administrators called the 'red zone'—schools with the great majority of the county's racial and ethnic diversity, children receiving federally subsidized meals, and immigrant children¹²—providing additional funds for all day kindergarten, smaller class sizes, and teacher benefits (see Figure 7; targeted areas are the 'red zone,' the rest of the county falls into the 'green zone').

Figure 7: Montgomery County Public Schools, Targeted and Non-Targeted Areas



¹² 75 percent of all racial/ethnic minority children in elementary schools (79 percent of blacks, 75 percent of Hispanics, and 48 percent of Asians), almost 85 percent of all children whose first language at home is not English (and 74 percent of kids in ESOL classes), and 81 percent of all children receiving federally subsidized school lunches.

Similarly, in Fairfax County, the school administration went out of its way to design programs to address the needs of those schools with experiencing the greatest needs—relative to diversity, poverty (as measured by students receiving federally funded meals), and English language learning (schools with high numbers of English Speakers of Other Languages (ESOL). Schools falling into this category became ‘Project Excel’ schools, receiving additional funds from the school system for smaller class sizes, all-day kindergarten and more. In both cases, these programs amounted to millions of dollars in differential funding--\$67 million in Montgomery County over a four-year period; \$68 million in Fairfax—a not insignificant amount of the school systems’ discretionary funding.

Factors Explaining Policy Change

So why did these changes take place? It seems unlikely that demographic shifts automatically translated into policy changes. As Jerry Weast, Superintendent of Montgomery County’s Public Schools noted, the easier path was for the county to do nothing:

What’s really interesting is that while the community knew [this demographic change] was happening, but they weren’t gearing up for it. ...What we were doing when we put our administration together five years ago was forcing people to bring to the forefront the issue. The issue had been there and had been evolving over a period of time, but there was a fear, in my opinion, of it being brought here right on the table. The fear was that we’ll promulgate flight, it will ... have a negative effect on property values and won’t have any laudable effect on improving anything but just makes things more confusing.

Not only was the path of least resistance to do nothing, it was certainly choosing a path of *greater* resistance to implement policies that would ask for the redistribution of resources in the school budget to less-well off schools in Fairfax and Montgomery counties. So what explains the schools’ response? What were the critical intervening variables?

There are several different variables that singly, or in conjunction, could explain when and why changes in education policy might occur. The first four are variables

external to the public schools: these are electoral politics, federal/state mandates, court decisions, and the budgetary constraints. The last two are internal to the public school system: the interests of professionals such as ESOL teachers, and the role of professional norms. I'll explore of these briefly in turn below:

Electoral Politics

Political scientists tend to look to politics as the answer, particularly electoral politics. And certainly electoral politics play their role, as representatives push for changes in policies and programs. For schools, electoral politics are particularly important, after all, local politicians control the purse strings and provide the bulk of the funding for local schools. More than half of all county tax dollars in Fairfax and Montgomery counties go to public school funding, and schools receive three quarters of their funding from the counties. Certainly school administrators are aware of the importance of electoral politics: as Weast emphasized in his interview, “you’re got to remember that at the bottom of most political equations is the ballot box.” However, neither he nor his counterpart in Fairfax County saw the new racial or ethnic minorities moving to the county as major political actors. In fact, in neither Montgomery nor Fairfax counties does has the descriptive representation of racial or ethnic minorities approach their proportional numbers in the population as a whole.

For instance, racial and ethnic minorities make up approximately 40 percent of Montgomery County’s total population, but there is only one minority representative out of nine on the county’s Board of Supervisors (Tom Perez (D- district 5)). Given national patterns of voting for minority candidates, in which minority candidates are more likely to be elected in single-member districts than in at-large districts, the board’s composition of four at-large seats and five district-based seats likely lower the odds of greater minority representation. Fairfax County has ten members on its Board of Supervisors: nine are elected by their districts, while the tenth—the chair of the board—is elected at-large. However, no racial or ethnic minorities have ever served on the county’s board.

Racial and ethnic minorities fare better on boards of education in the two counties. In Montgomery County, there has been some representation of ethnic and racial minorities for more than a decade. Currently, of the seven members of the Board of Education in Montgomery County, two are black, one is Asian and one is Latino—well over half the board’s membership. Note that these members are elected from the board’s five single-member districts and that the two at-large members of the board are both white. Fairfax County’s Board of Education only began electing its members in 1996, with six being elected by district, and three at-large, for a total of nine. In the early 1990s its first minority members were appointed to the board. However, by 2001, the board had three elected minority members (two black, one Latino) out of nine; currently the board has only one minority member on it (a Korean-American). Note, again, that the at-large members of the board have been white, while representatives of ethnic and racial minorities have been elected from single-member districts.

The direction in both counties has been toward greater representation of ethnic and racial minorities, but in neither Montgomery nor Fairfax County has this representation been very significant. In the case of the school board, the presence of minority representatives has been much more substantial and consistent, if still very recent. In both counties, these representatives have been critical backers of policies to implement programs targeting ‘schools in need’—those schools with greater percentages of minority students, students in ESOL programs, and students on federally provided lunches. In Fairfax County, minority representatives have also been crucial actors in keeping the admissions processes to the county’s gifted and talented (GT) programs on the agenda, and in pushing for the development of alternative admissions procedures to the county’s most selective high school.

The presence of minority representatives on the school boards in Fairfax and Montgomery counties matters—they have helped nudge the education debate toward addressing the gap between whites, Asian-Americans and other racial and ethnic groups. But, given their numbers, their role is not, and cannot be, decisive.

Federal/State Mandates

State and National politics can have a hand in shaping educational policy as well. In 2001, for example, Congress passed the ‘No Child Left Behind’ Act (NCLB), which set federal standards for schools nation-wide, requiring testing that would provide benchmarks by which every school, as well as key subsets of students in each school, would have to show progress every year. In addition, the law promised to hold schools accountable if they did not meet these standards, by sanctioning schools that fail to meet achievement targets on standardized tests. Though it may well be the case that the legislation was insufficiently funded, according to the Center on Education Policy the law *did* succeed in focusing attention on the achievement gap between disadvantaged and mainstreamed students, since schools are be marked as failing if any subset of students failed to make progress.¹³

In 2002 the state of Maryland passed similar legislation at the state level, the ‘Bridge to Excellence in Public Schools Act,’¹⁴ which like the federal legislation set standards and penalties for schools, and pointed particularly attention to the achievement gap between different racial and ethnic groups. 2002 was the first year Maryland implemented its High School Assessment Tests for all graduating seniors, as Virginia had with its Standards of Learning Exams, implemented in 1998.

The cumulative impact of these various school standards and student exams is hard to measure. Neither Weast nor Domenech saw these federal and state accountability measures as being crucial, and in some ways they saw them as detrimental or at least annoying. Here is Weast on No Child Left Behind:

¹³ Sam Dillon, “One in Four Schools Fall Short Under Bush Law,” New York Times, January 27, 2004.

¹⁴ MD SB-856

No Child Left Behind is visionary, but when you talk about operationalizing things, the farther you get away from the schoolhouse the more difficult it is to operationalize [anything].

Laws are very difficult to operationalize. If they weren't, we could legislate morality and we could legislate all kinds of things. But we have not been successful. There, at the local level, you've got to attack the real systemic issues and they may not all be the same. In fact, one size doesn't fit all. So, [Congress] got it down to not the federal unit, but to the state unit, which is better, but not a whole lot, because states, one, don't have any money, small departments of education tend to be extremely bureaucratic, tend to measure things rather than deal with building capacity of people and tend to want to do short-term turnarounds rather than long-term kind of things.

The standards and penalties set at the federal and state levels could conceivably affect a school's—or a school system's—reputation. But neither the federal nor state laws had the funding behind them to compel or persuade schools to really change course. For example, in Montgomery public schools, federal dollars accounted for less than 7 percent of the schools' total budgets; state funding was more significant at 17 percent. In both Fairfax and Montgomery counties, the most likely impact of No Child Left Behind was to provide additional ammunition to school administrators that were already advocating for programs to reduce the gap in test scores and other measures of educational outcomes between white and minority students. The programs themselves, and their funding by the counties (particularly since NCLB offered little in the way of additional funding), preceded these state and federal mandates.

Court Decisions

Two court cases, both decided by the Federal 4th Circuit Court, had a direct impact on school policies toward racial and ethnic minorities in the Washington D.C. area. In both these cases, not coincidentally, the plaintiffs and defendants were drawn from the DC area.

In *Eisenberg v Montgomery County Public Schools et al.*,¹⁵ a white non-Hispanic first grade student was denied admission to Rosemary Hills Elementary, a magnet school in Montgomery County, Maryland. The denial was based upon the negative impact the student's departure would have had on the 'diversity profile' of the school he was leaving. The District Court upheld the school's decision, but this was then overturned on appeal. The Court of Appeals left "unresolved" the question of whether diversity is a compelling state interest. However, the Court concluded that even so, the school's policy was not sufficiently narrowly tailored because it explicitly compared the diversity in the school to that of the population. Montgomery County filed a petition for certiorari to the Supreme Court that was denied on March 21, 2000.

In April 1998, the Court for the Eastern District of Virginia, ruling on the case *Tuttle v. Arlington County School Board*,¹⁶ struck down the admissions program to Arlington Traditional School, an alternative public elementary school in Arlington County, Virginia, a suburb of Washington DC. The admissions program compared the pool of applicants to the district's overall student population with respect to family income, race/ethnicity and whether English was a student's first language. Depending on how different the composition of the pool was from the population, the admissions lottery would be weighted for those characteristics. The 4th Circuit Court of Appeals ruled that "[e]ven if the court accepts defendants' contention that diverse student enrollments are educationally preferable, the court cannot conclude that the goal of diversity excuses racial discrimination." In short, the Circuit Court found that the school's admissions policy was not narrowly tailored to the government's interest in racial and diversity. The School Board filed a petition for a writ of certiorari to Supreme Court, which was denied on March 28, 2000.

Together these two cases prompted the wholesale dismantling across the southeast of programs and admissions processes taking explicit account of race and ethnicity, and in particular, any policies that compared percentages of racial and ethnic minorities in the

¹⁵ *Eisenberg v. Montgomery County Public Schools, et al.*, 197 F.3d 123 (4th Cir. 1999), 19 F. Supp. 2d 449 (D. Md. 1999).

student body with those same percentages in a larger population, say of a city, county or state. If anything, the overall effect of these court cases was to make government officials and school administrators think twice before attempting to implement race-conscious programs. They were a potential stumbling block to proposals to reallocating funding among the schools to benefit schools with more racial and ethnic minorities.¹⁷

Budgetary Constraints

In the early part of the decade, states and counties across the country underwent the most wrenching deficits and budget cuts since the Depression. Fairfax and Montgomery counties, while among the wealthiest counties in the United States, were not immune to these budgetary pressures.¹⁸ The budget, then, was potentially a key constraint on the implementation of any new programs, particularly ones that by shifting funding in an era of tight budgets, created zero-sum gains and losses.

However, while both Weast, the Montgomery superintendent of schools, and Domenech, the Fairfax superintendent, talked about the constraints of the budgets they had to work with, neither of them saw the county or school budgets as the main obstacles to the proposals to shift money to schools in need. This is Weast's take on the budget:

The budget becomes a secondary [consideration]... at the Board level, we like to think... first let's talk about the problem and see if we can really fully identify it... Can you look at it? Can you map it out? Really [have] a thorough discussion of truly what the issues are. And then what does the potential research say about the best way to solve those issues? How does that feel to the folk who are going to be embarking on this, the citizens themselves, the kids themselves? And then, what is the plan, after we've

¹⁶ *Tuttle v. Arlington County School Board*, 195 F. 3d 698 (4th Cir. 1999)

¹⁷ Note, however, that the 2003 Supreme Court decision *Grutter v Bollinger* probably had the opposite effect, of re-opening the question of race-conscious admissions policies, particularly, in the case of Fairfax county, for the magnet program at Thomas Jefferson high school.

¹⁸ In addition, in 1990 Montgomery County amended its County Charter to restrict increases in property taxation, further hobbling its budgetary freedom. The Charter amendment limits the growth of annual property tax revenue to the rate of increase in the metropolitan Consumer Price Index from the previous fiscal year plus the value of new construction. This limit may be exceeded only if seven of nine members of the County Council agree to a higher increase.

put together, and then what does it cost? And *then* what is the cost benefit ratio and how much time does it take?

And a little later in the interview:

If this is just something you *want* to do, or you'd *like* to do, you're not going to get anywhere.... [But if] this is something that you've *got* to do in order to maintain those average 1,100 SATs for a district where 81 percent of the kids take the SAT, [and] then to find yourself on the front of *The Wall Street Journal* or on *Newsweek*, this is what you've got to do to maintain that quality. Then it becomes 'got to', and when you have put the 'got to' label on it, then it becomes 'how' and 'under what conditions' can you do that.

Of course, one should recall the setting for these remarks: Fairfax and Montgomery counties are among the wealthiest in the US. Perhaps school administrators in Fairfax and Montgomery counties are relatively free from budgetary constraints. But even in the lean years of 2001-2003, when area budgets were under severe strain,¹⁹ school administrators were *still* able to go forward with their plans to redistribute funds to the neediest schools.

Professional Interests

It is possible that county level programs shifting resources to schools with greater numbers of minorities, immigrants and poorer students might have pushed by the bureaucrats whose professional interests would benefit. One might imagine that English Speakers of Other Languages (ESOL) administrators might like to see ESOL programs expanded, not only because they might believe this might be the right policy response, but because it would lead to larger budgets and resources under their control. This scenario might be doubly plausible if the funding for the expansion of ESOL and other programs were coming from the state or federal government rather than the county—in this case, the county might see the expansion of the ESOL as a free public good, benefiting them at little or no cost. However, both these suppositions are wrong.

¹⁹ For example, Matthew Mosk, "Shortfall of \$23 Million Looms in Montgomery," *Washington Post*, November 23, 2003; p. C07; Lisa Rein and Tom Jackman, "Fairfax Official Lays Out Plan to Cut Budget," *Washington Post*, April 11, 2002; p. B01. Between 2001-2003, there are many more stories like these.

Weast pointed out that some of the strongest resistance to his efforts to redirect funding to less-well-off schools came from teachers and administrators in those schools themselves. The resistance from within the schools themselves came because, Weast opined, teaching staff thought “this looks like work—it looks like hard work.” It took convincing a cadre of teachers—in this case, the kindergarten teachers where the new funding and accountability were going to be focused—for the program to gain a constituency within the schools. Until then, and until the teachers saw it work, there was a preference for letting things continue as they had.

In addition, the proposals to reapportion funding among the schools brought in no additional funding from the federal or local. Even having additional ESOL students was not a net gain for the school system. In Virginia, ninety percent of the costs of an ESOL student in these school districts is locally funded, with nine percent coming from the state, and 1 percent from the federal government under the Federal Emergency Immigration Act. Title III of the No Child Left Behind Act requires that the federal government fund ESOL. But funding for the program has not increased in two years and President Bush's proposed fiscal 2004 budget offers no additional funding for ESOL. The average cost of educating each student in Fairfax County public schools (simply dividing the overall budget by the number of students) is about \$10,000 per year; each ESOL student costs Fairfax County an additional \$3,000. If the county is contributing 90 percent of an ESOL student's funding, then each ESOL student is costing the county an additional \$1,700. Immigrants are not cost-free to localities, so it's unlikely that ESOL or other administrators would be able to make the argument that these students are bringing in additional outside funding.

Professional Norms/Bureaucratic Ethos

Every bureaucratic agency has a set of norms, the way in which it expresses its *raison d'être*, its mission; less formally, bureaucrats may share an ethos—a way of looking at the world that shapes their policies. Montgomery County Public School

System's Strategic Plan,²⁰ for instance, begins not with a balance sheet or a set of objectives, but with a statement titled 'Beliefs' which consists of 18 bulleted points. Some of these are highlighted below:

- All people have equal worth.
- All children are society's highest priority.
- Progress requires openness to change.
- ...
- The right to opportunity is non-negotiable
- ...
- People have the obligation to help one another
- ...
- Education for all is a prerequisite for a strong society

These bullet points illustrate a set of starting principals for policy makers that makes response to demographic change seem a given—it's already been defined as part of the bureaucracy's mission.

Jerry Weast, Superintendent of Schools for Montgomery County expressed these same norms more forcefully. At one point in his interview he described educators as having a covenant with society, and the terms of that covenant required educators to strive to provide the best education they possibly could.

The covenant is not about high quality for *some*. The covenant is [about] the highest quality for *all*. Since we are getting more kids who have these needs, then we've got to create new conditions to get them to the [highest] level. You can't lower the level. That breaks the covenant.

Viewing education in this way presupposes that children with greater needs will receive greater resources, and this redistribution of resources is a public good. In another portion of the interview Weast stated:

We've got to do a better job of reestablishing an egalitarian society because this is a fundamental tenant of democracy. Democracy spins from an educated electorate. Well, if most of your electorate is going to be growing by immigrants or children who have historically been deprived of educational opportunities, then you've got to do something about it.

²⁰ [MCPS Strategic Plan](#) (pdf on file with author); Montgomery County Schools, [Strategic Plan](#) "A Successful Tomorrow Begins Today," May 2002 (pdf on file with author).

Again, Weast is describing education as a public good, one fundamental to the workings of a democracy. If one subscribes to this view, as Weast clearly does, then leaving immigrant and minority kids behind is not an option. Similarly, in his interview, Domenech, the Fairfax superintendent, talked at length about how his own immigrant background gave him the perspective to address issues of inequity in education, and justified policies redistributing resources as simply the “right thing to do.”

Principles, whether formally stated as norms, or shared informally as an ethos, fundamentally shape the way bureaucrats think about their policy options, and implement change. In the case of Fairfax and Montgomery school administrators, shared norms about equity in education and the opportunity for education for all led to the vigorous implementation of plans to redistribute funding to schools handling the brunt of the racial and ethnic demographic changes to the region.

Each of these variables—county politics, federal and state mandates, court cases, budget constraints, professional interests and bureaucratic ethos—together with the very different state contexts for Virginia and Maryland, shaped the decision-making landscape for the redistributive educational policies pursued in Fairfax and Montgomery county public schools. But the variables’ impact was not equal, nor even always in the same direction (see Figure 7). Any educational policies seeking to address the new issues brought about by recent demographic shifts in the counties, particularly racial and ethnic gaps in performance, by calling for a redistribution of funding was going against the grain of suburban politics as usual. A combination of factors—demographic shifts, minority representation on the counties’ school boards, federal and state mandates—persuaded administrators that they needed to take significant steps to address the issues brought up by racial and ethnic diversity in the schools. But given the

obstacles—the effort to persuade majority lawmakers holding the power of the purse, court cases curtailing race-conscious policies, a period of budget cutbacks, and profession inertia—none of these changes would have been possible without the norms underlying what many administrators felt was their educational mission, and without the active intervention of these administrators to implement changes in Montgomery and Fairfax counties’ school systems.

Figure 7:
Direction of Variables’ Impact on Redistributive Educational Policies

<u>Variable</u>	<u>Direction</u>	<u>Comments</u>
Electoral Politics	mixed	minority representation insufficient to determine policy
Federal/State Mandates	positive	set guidelines favoring attention to minority achievement gap
Court Decisions	negative	limited race-conscious policies
Budget	negative	set constraints on spending; created zero-sum budget politics
Professional Interests	mixed	professional interests offset by inertia
Bureaucratic Norms	positive	lens for decision-making by key administrators

The Proactive Response of Educational Bureaucracies

By the early 1990s administrators in the public school systems of Montgomery and Fairfax counties were fully aware they were experiencing an unprecedented demographic transformation. Consequently, when both counties were seeking to replace their school superintendents in the mid-1990s, they were looking for a particular kind of candidate. Daniel Domenech, Fairfax school superintendent until the spring of 2004, recalled when he was being hired that:

the [Fairfax school] board was very aware, at that time, that this was a school system that was about to undergo some significant demographic changes, and they wanted somebody with my background and experience

here in hopes that they system would be able to effectively deal with those significant demographic shifts.

The challenges of ethnic and racial diversity required that resources had to be found to address the needs of students who were less well off than what the counties had become accustomed to—a native born, upper middle class, overwhelmingly white student body. This meant that any new policy would not only have to allocate resources to the new immigrant and minority students, but might have to *redistribute* them away from middle class students in the counties. Fairfax’s superintendent Domenech:

The strategy for implementing those programs was a carefully crafted one because it meant that we had to divert resources within the school system. We weren’t getting any more money from state, federal or county sources. So, to do these things, we, in essence, had to reallocate resources to take it from one area to put it where they were needed.

For example, my project Excel Schools, each received, on the average, a million dollars more, for full day kindergarten, for reduced class size, for the technology and programs that are used in those schools. Our ESOL program has expanded dramatically, as has dual language and full day K[indeergarten]. To do all of these things, we had to convince the community that in order for Fairfax County to remain as a world-class organization and to have the average student perform in that we were so proud of, we... had to bring the bottom up.

The argument that the bottom had to be brought up for the good of everyone in the school system was used in Montgomery County as well. In his interview, Weast played out a conversation with an imaginary detractor:

If you came into me and said, “Look, I’m a big-time taxpayer, my kid is [in a class with a ratio of] 1 to 23 in a kindergarten and you don’t pay much taxes and you just got off the boat and your kids are going [to a kindergarten class with a ratio of] 1 to 15 all day... Don’t you get it? Who votes and who doesn’t, here, Jerry?

My answer would be back, yes, I get who votes and who doesn’t and I know you do, but, let me tell you, do you get what your property value is based on? It is based on MCPS’ quality, not just your individual child’s quality.

This argument was both an appeal to principles—that redistributing funds was the right thing to do—and an appeal to self-interest—that bringing up the scores of the kids on the bottom would ultimately benefit everyone, particularly homeowners, by protecting their investment.

This combination of appeals to both principles and interests worked. Administrators were able to convince their internal and external constituents—the voters and county councils that approved their budgets, the principals and teachers who would actually be putting the programs into effect and parents with children in the schools. In Fairfax, Domenech claimed opposition to spending on schools with needs was never truly coordinated or organized. There was not, he said, much resistance to the proposals

beyond just the grumbling, [it was] never organized. It was always the occasional remark at [school] board meetings or letters to the papers, etc., that, well, here at Great Falls [a wealthy are of Fairfax county] while we are paying all of these taxes, our [schools'] roofs are leaking and we don't have the new computers and we don't have all these wonderful things that Domenech is putting into all those other schools. They were right. They didn't. But those kids were coming to us from homes that these other kids could only dream of. Those kids [from Great Falls] were coming to us with a background and preparation that these kids would never have.

And, so, yes, we are diverting resources from your kids and from your schools, but, you know, when the quality of education in Fairfax County starts to slide, the first ones that are going to put their homes up for sale to get out is going to be you folks because these other kids have no place to go. They are here. They don't have much choice. So the quality of the education that everyone is getting and the quality of these schools is dependent on our ability to do what we [have to] do. And, so, that [argument] worked.

Domenech went on to note that:

[Detractors] could be angry over what they saw was a reallocation of resources, but, on the other hand, how could they attack me effectively as long as the performance of everyone in the school system kept going up, the performance of their children, as well as the performance of the minority kids. Which, by the way, made it very difficult for me to close the achievement gap because by improving everybody's performance, the White middle-class kids weren't standing around on the same level while

the minority kids came up. Even though the minority kids came up substantially, so did these other kids. We closed the gap somewhat, but not to the level that we would have closed it had the top performing kids remained where they were.

Again, here the argument was that not only is the reallocation of resources the right thing to do, but it was also *in everyone's interests* to do so—that spending those resources meant that average test scores continued their upward climb, enhancing the reputation of the school system, and indirectly, keeping property values in the county high.

While this section reinforces points highlighted earlier, two items merit further attention. The first is that both Weast and Domenech carefully calibrated their arguments to their audiences. They were aware of the kinds of arguments that would work with different audiences. But it doesn't seem these interest-based appeals were driving their *own* decisions. As Superintendent Weast put it:

I'll appeal, I'll use any lever I can and try to figure out any way I need to explain it to get people interested in re-engaging in a more egalitarian society, either as an individual reaching out to somebody, or as a contributor. Or, in the worst case, my worst-case scenario, is [that at least they] not get in the way.

The second point is that, whatever the arguments used, the schools' proposals to address the demographic shifts taking place in schools preceded any external pressures or outside politics. School administrators were the *initiators* of these policy changes. Again, if we think of the way political scientists have written about the incorporation of newcomers, they write of incorporation taking place only as newcomers accumulate resources and are able to mobilize (or be mobilized) effectively in the political arena. What we see in the suburban counties in the DC metropolitan area is something else entirely: we see bureaucratic actors—in this case, in the educational system—taking action to incorporate racial and ethnic minorities, well before they are under any political pressure to do so. The timing of the proposals suggests, as does the other evidence presented so far, that the driving force behind these decisions is coming from the schools themselves, and particularly from the administrators making decisions about school policy. What we see, in short, is *bureaucratic incorporation*.

The Limits of Bureaucratic Incorporation?

The success of the school systems, and particularly of their top administrators, to formulate a rationale for intervention in response to the increasing ethnic and racial diversity of their counties, and their ability to sell this rationale to their constituents shouldn't obscure some of the real constraints on their capacities to respond.

The success of the Washington DC suburban school systems has rested in their ability to attract and keep the allegiance of the upper-middle class. To capture this constituency area school systems constructed extensive 'tracking' programs. Some of these 'gifted and talented programs' are virtual schools within schools—students in these programs can take advanced placement courses with like students, and have little contact with the broader curriculum or student body. Others are 'magnet schools' designed to attract students from across the county school system (for instance, Jefferson High School in Fairfax County, with its emphasis on science and technology). Entrance into these accelerated programs is exam-based, with students testing as early as first grade for placement in 'gifted and talented' classrooms and courses. The entering class of Jefferson High School, for instance, is largely selected by taking the top test scorers for the county.

These advanced placement and magnet school programs have a substantial constituency among the county's well-educated upper-middle class, who say these programs as the edge their children required for entrance into elite universities (in Montgomery County, for instance, two thirds of seniors are enrolled in AP courses, and half take AP exams).²¹ However, as suburban counties have become more ethnically and racially diverse, it has been questioned whether these programs mirror the diversity of the student body. Although blacks and Latinos, for instance, make up 25 percent of students in Fairfax County, from 1999-2001 they made up only 8 percent of those in

²¹ See 2003-2008 Strategic Plan, Montgomery Public Schools.

gifted programs.²² The problem, critics, said, was that testing worked to the disadvantage of minority kids. “The odds are really stacked against kids who don't come from the most mainstream backgrounds and kids who aren't white,” said James H. Borland, a professor and the coordinator of programs in gifted education at Teachers College, Columbia University. “If tests are the gatekeepers ... they will systematically screen out poorer kids and children of color from their pool,” he noted. “If schools are serious enough about identifying gifted kids beyond what's found in white middle-class and upper-middle-class [neighborhoods], then they have to find other ways to identify those children.”²³

Criticism that Fairfax County's classes for the 'gifted and talented' (GT) were filled mostly with white and wealthy students resulted in pressure for reform, originating in the school board's minority members and its Minority Oversight Board. In 2001, Fairfax County's School Superintendent announced that the county would be changing its entry criteria into the program. Beginning that year, students were given an ability test that focused on problem-solving, patterns and relationships in hopes of identifying gifted children who do not speak English and poorer students who don't traditionally score as high on an IQ test. In addition, the IQ test that is normally given in first grade to all gifted-program applicants was moved to second grade, to allow students another year of school before being tested. In addition, administrators allowed students to be considered for GT programs if their parents referred them, even if their test scores didn't immediately qualify them. The result was an increase of nearly 1,000 children in the semifinalist pool, from 2,616 in 2001 to 3,588 in 2002. Schools officials said 563 of the additional students in the pool were added due to testing changes and 409 originated from parent and private-school referrals. Finalists were selected based on a packet of information on each student, including test scores, progress reports, other information from teachers and parents, and samples of the student's work. The changes seem to have had real effects: in 2002 there were 168 percent more Hispanics, 41 percent more African Americans and 53 percent

²² Liz Seymour, “Too Few Make Cut As Fairfax's Gifted,” Washington Post, April 28, 2002, p. C01.

²³ Ibid.

more Asians in the Gifted and Talented program across the county. Overall, minority students in 2002 made up 36 percent of program, up from 32 percent the previous year.²⁴

Thomas Jefferson High School, Fairfax County

Thomas Jefferson High School opened in the Fairfax County public school system in 1985. “The concept of the high school was for it to be a school for science and technology, not necessarily a school for GT kids,” Domenech recounted.

The [school] board’s intent was for Jefferson to reflect the diversity in the community. The admissions process into Jefferson had an affirmative action component, which meant that after you went through the typical selection process of the best 400 kids the Selection Committee then went into the pool and selected 50 minority candidates that had not made the original group and brought them into that pool and about 30 to 40 of them would get into Jefferson on an annual basis. That affirmative action component stopped [in 1998] because of the changing mood of the country on the issue of affirmative action.

As recounted above, in 1998 the US 4th Circuit Court had ruled in two separate cases (*Tuttle v Arlington School District* and *Eisenberg v Montgomery County Public Schools et al.*) that while taking racial and ethnic diversity into account was not necessarily unconstitutional, it had to be both a pressing state need and narrowly tailored as a remedy. Thomas Jefferson High School’s old admissions process, the school district’s lawyers informed Domenech, met neither of these criteria, so the school’s admissions committee dropped race as a factor in the intensely competitive admissions process to the school and dismantled a much-lauded preparation program for disadvantaged students.

“The minute that happened,” Domenech said, “not surprisingly, minority admissions at Jefferson, just based on the testing process, just dropped to the point of a handful of African American and Hispanic kids.” In 2001-2002, Thomas Jefferson’s entering class had only two black students and seven Latinos. As Domenech recalled:

²⁴ Liz Seymour, Minorities Swell Pool of Gifted In Fairfax,” [Washington Post](#), July 3, 2002, p. B01.

So the [school] board was very concerned and they turned to me and they said, we've got to change this. I said, fine. I talked to the attorneys and the attorneys said, well, you can do anything you want, but you can't do affirmative action. So you can't do what they were doing before and you can't say that you're doing it because of race. So, I looked at the pattern of the middle schools and the number of youngsters that fed into Jefferson from those middle schools and then obviously there was a huge disparity there. There were at least 10 to 12 middle schools that never sent anybody to Jefferson, and not surprisingly, those 10 to 12 middle schools were those schools that had the greatest percentage of minority and language minority and poor kids. So I came up then with a notion of just geographic representation, that every middle school, based on their enrollment, would have a percentage of the Jefferson population. So the kids that applied to Jefferson from that school, let's say if Whitman Middle School had 10 slots and 20 kids applied to Jefferson, well, 10 of them would get in to Jefferson and then we would have geographic equity.

It was clear that six of the district's 24 middle schools, located in affluent neighborhoods where children were coached years in advance for their entry into Thomas Jefferson High School, accounted for as much as half of each entering class. As Domenech noted, another half-dozen schools, located in lower-income neighborhoods with larger black, Hispanic, and immigrant populations, sent few, if any, students to Jefferson. What Domenech proposed was a system based on both testing *and* geographic distribution. The first phase of applying for the school would remain the same: students would take an entrance exam and the 800 or so with the highest scores would become semifinalists. The change would be that these semifinalists would be sorted by school, and the number of slots for each school would be determined proportionally by its eighth-grade enrollment. The greater the number of students in the school, the greater the number of slots the school would be allotted at Jefferson High. The selection committees reviewing the applications would give first preference in each school to students eligible for free or reduced lunch. Then additional students would be given the remaining seats.²⁵ By allocating entry slots by school and then within school to economically disadvantaged students, the proposal would most likely result in significantly higher minority enrollment at Jefferson High School.²⁶

²⁵ Liz Seymour, "Parents Decry Minority Plan: Proposal Would Alter Admissions at Jefferson," Washington Post, October 11, 2001, p. B01.

²⁶ The proposal's strategy is similar in some ways to the alternatives to affirmative action adopted in Texas and Florida, which guarantee entry to the state's publicly financed universities to the top 10 percent of each

As might have been expected, parental opposition, particularly from schools whose entries to the magnet high school were likely to be cut, was ferocious. Again, Domenech:

Well, when that hit the GT community, they very quickly realized that middle schools like Longfellow, who now send maybe 60 to 70 students to Jefferson, would be restricted to maybe 10 or 12, and that would not do. That community stormed the palace gates and basically scared the hell out of the School Board, and the School Board retreated and basically shelved the proposal.

The school board received hundreds of emails from aggrieved parents, most of them from the half-dozen ‘feeder schools’ that provided the bulk of Thomas Jefferson’s entering class—that is, students from the disproportionately white, upper-middle class northeast quadrant of Fairfax County. As Domenech noted, the school board quickly withdrew its plan for a geographical distribution of entry slots into the elite high school.

In response, Bob Frye (the one African-American school board representative) proposed an alternative: to create an 30 additional places for the 2002-2003 entering class that would be allocated to middle schools that had been under-represented in Thomas Jefferson’s entering classes. The expectation was that these 30 slots would be drawn from schools with greater percentages of black and Latino students. This expectation was not met. “Unfortunately,” Domenech commented, “the way that has worked is that the kids going to Jefferson from those middle schools tend to be the few White middle-class kids who live in those communities as opposed to minority kids or language minority kids or poor kids.” Despite these extra 30 students, in 2003-2004, the student body of Thomas Jefferson had a student body that was 65 percent white, 28 percent

high school’s student body. Because the racial makeup of schools’ student bodies reflect their neighborhoods, and because neighborhoods themselves tend to be racially segregated, then guaranteeing entry to the best students of every school in essence acts much like the affirmative action programs they replaced.

Asian-American, 2 percent Latino and only 1 percent black (the remaining portion of the student body either identified as multi-racial, or chose no racial identification).²⁷

In his interview in March of 2003, shortly before he stepped down as superintendent, Domenech noted that:

The problem at Jefferson today continues and will continue. I have a lot of issues with that because for me Jefferson should not be a private academy funded with public dollars. Jefferson should be a school that's available to all of the students in the County and equity should override the strict academic performance. We are not Harvard or Yale or the Potomac Academy. We are a public school system. If we have something good, then every section of the County should have the opportunity to avail themselves of that good thing because it is a County school, it's not just a school for Great Falls or McLean or Oakton or any of those [more well-to-do] areas of the County. But, until such time as there is a willingness on the part of our School Board to rethink their philosophy on Jefferson, it will remain predominantly a GT school [oriented] toward primarily White middle-class, and the Asian community has availed itself quite nicely to this school as well.

However, this is not the end of the story. Before stepping down in 2003, the Fairfax Board of Education's two minority members sponsored a resolution,²⁸ passed by the board, for the appointment of an independent 'blue-ribbon' commission to re-examine Thomas Jefferson's admissions procedures and to recommend changes if any were warranted. The panel presented its report in June of 2004,²⁹ and the school administration, accepting the thrust of the panel's recommendations, is expected to propose changes to the admissions procedure to the magnet school sometime in the fall of 2004.³⁰

The successful expansion of the Gifted and Talented (GT) programs in lower grades in Fairfax public schools versus the attempt to adjust the pool of admittees to

²⁷ In 1998, the ethnic/racial breakdown at Thomas Jefferson was 70 percent white, 21 percent Asian, 4 percent Latino and 3 percent black.

²⁸ <http://www.fcps.edu/schlbdrm12-18-03/tj.pdf> In 2003 the board also amended the entrance procedure to allow students to take the Naglieri non-verbal intelligence exam, so that students for whom English might not be their first language would have a greater opportunity to be admitted.

²⁹ <http://www.fcps.edu/schlbdrws06-07-04/blueribbon.pdf>

³⁰ <http://www.fcps.edu/schlbdrws7-12-04/TJHSST.pdf>

Thomas Jefferson high school indicates both the possibilities and limitations of bureaucratic action. In the first case, GT slots across the county were expanded to allow more children access to GT programs. In the second case, the initial proposal was to reallocate admissions to Thomas Jefferson while the pool of admittees was essentially capped. The schools' white middle-class constituents agreed to the first, but rejected the zero-sum calculations of the second. Domenech acknowledged as much:

I think the key has been to expand and open the doors. In other words, rather than being exclusive as to the GT standards and the GT school-based programs, we have expanded those programs and thereby created more opportunity for minority kids to be in those programs. At the same time there are more white kids because we just expanded it as opposed to restricting it. That's the problem with Jefferson. I don't think anyone would object if we expanded Jefferson so that it would include more schools, as Mr. Frye [the African American representative to the school board] did, as long as you're not restricting the number of white middle-class kids that can go to that school. So expansion will always be a much more agreeable solution than talking necessarily about increasing the percentages.

The Fairfax superintendent was quite aware of realities of politics: in the calculus of politics its always easier to sell change under conditions of expanding resources than it is to sell change when resources are capped or constrained. In the latter situation, of course, politics becomes zero-sum, and the best-organized groups are likely to mobilize to protect their interests at the expense of those groups that have fewer resources to bring to bear in the political process.

This is precisely what happened with Jefferson High School. The most vocal parents—those whose children were attending schools that had historically been over-represented at Thomas Jefferson, and who would have had a more difficult time getting in under the proposed system of geographic distribution—were also those with the most resources—in terms of socio-economic clout, etc. These were the parents who sent angry emails, attended meetings in protest, and applied whatever pressure they could to see the rules didn't change. Minority parents were much less vocal and active. Given the imbalance of resources, Domenech commented that:

I think if it's a matter of pressure, the status quo will prevail. It's a matter of doing the right thing or it won't get done. Because when you talk about pressure, the minority community is not going to put pressure on the Board because the minority community tends to be more concerned with the needs of their lower achieving students than necessarily the high achieving students that would be going to Jefferson. There aren't that many of them, or they're not in sufficient number to come out in hordes as the GT [parents] will, and do, and have. So, you're just not going to get the pressure from the minority community.

Domenech was well aware of the politics surrounding gifted and talented programs like Thomas Jefferson high school, but he still couched his response in terms of 'doing the right thing.' The ethos of administrators like Domenech was what kept the admissions issue at Thomas Jefferson alive. Without it, the status quo would have prevailed, and the issue would simply have faded away.

Conclusions

The central puzzle of this article is why did the suburban schools systems in Fairfax and Montgomery counties choose to implement policies shifting resources to schools with greater numbers of racial and ethnic minorities at a time of shrinking budgets, when in all likelihood this would alienate their middle-class constituencies? Moreover, why did they choose these policies when they were not under any political pressure to do so? The choice of policy seems to run counter to any interest-based theory of politics. The answer I have suggested in this paper is that bureaucracies have their own internal norms or professional ethos that may lead bureaucrats to espouse policy change preceding any external political pressure; indeed, these bureaucrats may try and mobilize pressure for policy change themselves.

In the case of educational policy in suburban Washington DC there were a number of other variables also shaping the decision-making landscape, but the evidence points to bureaucratic norms and administrators' own ethos as being the key factors behind redistributive policy change. That evidence is summarized below:

- Despite the fact that Maryland and Virginia have very different political contexts and histories, the policies implemented in Montgomery and Fairfax Counties are substantially the same.
- None of the other possible variables—electoral politics, federal and state mandates, court decisions, budgetary issues or professional interests—are sufficient to explain the direction of policy change. Some of these (politics, mandates and professional interests) may have helped to reinforce the direction of educational policy change (while some—court decisions and the budget—likely hindered it), but none of these were enough to drive educational policy on their own.
- Federal and state mandates followed, rather than preceded, the redistributive policies that had already been put into effect in the counties, and professional interests were divided, and only coalesced in favor of the policies once it seemed they would be successful. Some elected representatives had raised issues of gaps in the performances of different racial and ethnic groups, but while they were key allies for educators, these representatives did not, and could not, drive policy on their own.
- Despite the fact that administrators tailored their arguments for different audiences, the language they use to describe their own positions in favor of redistribution are purely normative.
- Even when redistributive educational policies reach their limits—that is, when they hit the realities of zero-sum politics—the fact that the issues of educational equity and the incorporation of racial and ethnic minorities refuse to go away suggest something else at work rather than simply interests.

All in all, the evidence all points in the direction of a process of bureaucratic incorporation of ethnic and racial newcomers against the interests of many of their core constituents, driven by a set of professional ethos shared by actors in the educational bureaucracy.

Political science has focused on the expression of interests through electoral politics as the engine of policy change and the incorporation of racial and ethnic

newcomers. This article suggests instead that a kind of ‘bureaucratic incorporation’ can take place, driven by a professional ethos and bureaucratic norms. Change is certainly abetted through electoral access and representation, but bureaucratic action can precede and anticipate electoral pressures. Not all bureaucracies will share similar norms and ethos; the preliminary research in the DC area suggests that they do not, and that bureaucracies are divided in their orientations by those that are client-driven and those that are primarily regulatory in nature, and that these differences matter substantially in determining the responses of these bureaucracies to immigrants in suburbia. Finally, one should keep in mind that Fairfax and Montgomery counties are among the best case scenarios for immigrants and minorities in suburbia. The two counties are among the wealthiest in the United States. As a result, their schools have almost resources almost unmatched by other school districts around the country. Among the 50 largest school districts, their graduation rates are the highest.³¹ If school administrators in these counties are driven by a distinct educational ethos to propose redistribute policies, they also generally have the resources to make these policies happen. That may not be true at all times elsewhere. While the possibility that bureaucratic norms can drive policy merit further exploration, the limits of bureaucratic incorporation are worth keeping in mind. Finally, the conclusions reached here merit further investigation because they have quite concrete policy implications. Not least of these is that the best advice to new political actors, such as immigrants and other racial and ethnic minorities in suburbia, might be to search out and lobby sympathetic bureaucrats for responsive policy changes, rather than concentrating their energies in trying to tackle the problem of representation in more impenetrable and sometimes hostile electoral sphere. The response of sympathetic bureaucrats suggests there is more than one avenue to incorporation.

³¹ According to the study by the Manhattan Institute for Policy Research, Fairfax and Montgomery rank number 1 and 2, respectively. See Jay Matthews, “Area Schools Rank High in Graduating Minorities,” Washington Post, November 14, 2001; p A01.