

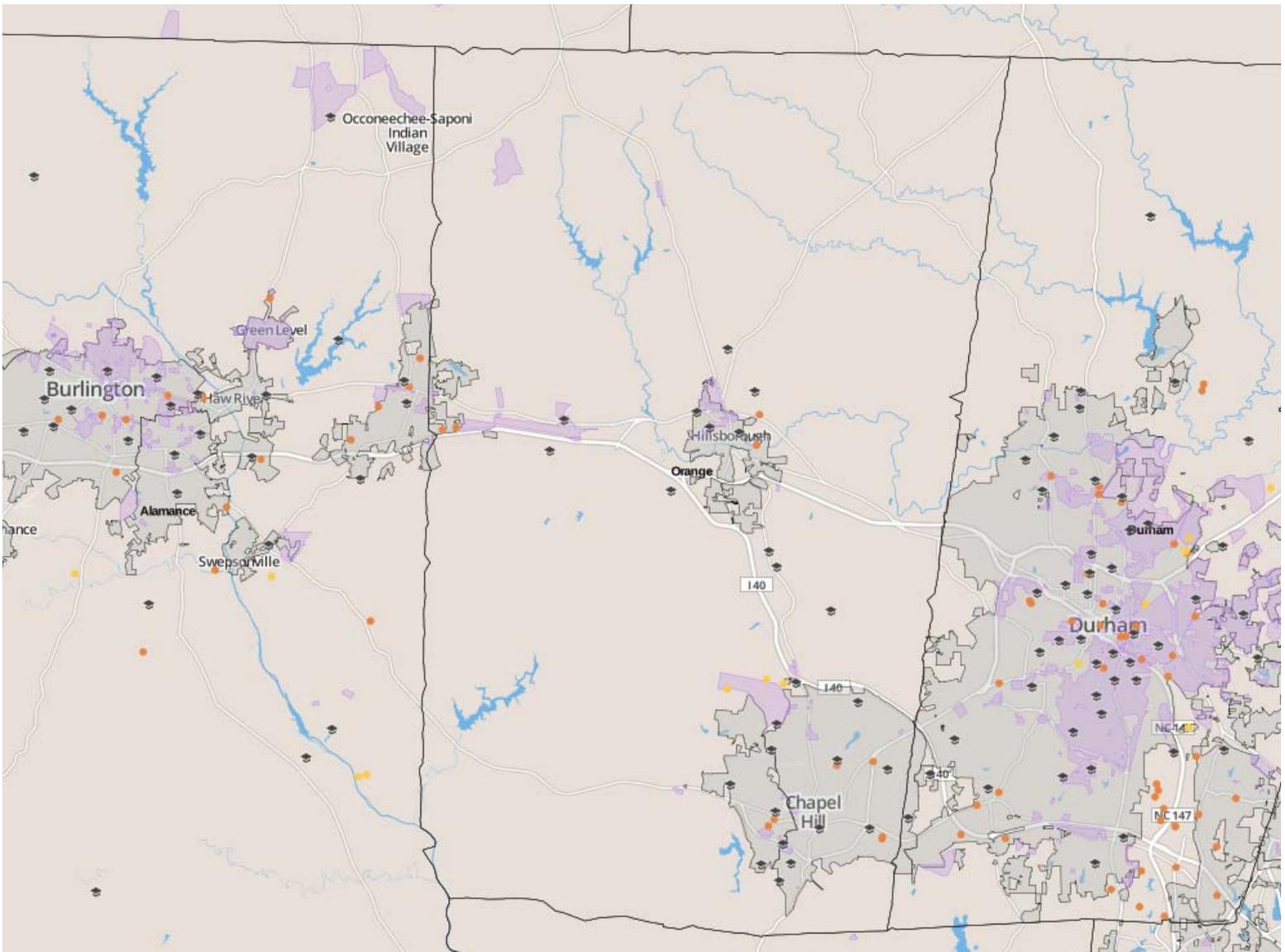


UNC
CENTER FOR
CIVIL RIGHTS

The State of Exclusion

Orange County, N.C.

An In-depth Analysis of the Legacy
of Segregated Communities

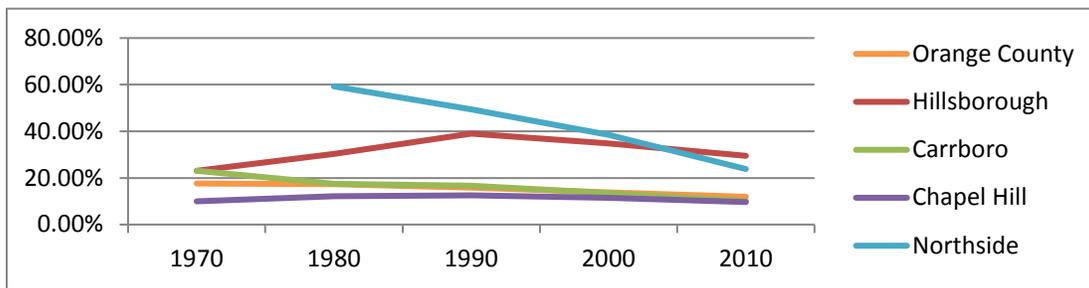


Orange County hosts three relatively prosperous towns,¹ Hillsborough, Carrboro, and the largest, Chapel Hill, home to the University of North Carolina at Chapel Hill.² Over the last several years, Orange County has consistently had one of the lowest unemployment rates in North Carolina, and also has a median household income well above the state average. But behind this prosperity lies a sharp divide between rich and poor, often along racial lines.³

JURISDICTION	POPULATION ⁴	MEDIAN HOUSEHOLD INCOME	WHITE POPULATION	WHITE POVERTY	AFRICAN AMERICAN POVERTY	LATINO POVERTY
NORTH CAROLINA	9,845,333	\$46,868	69.5%	13.4%	26.9%	28.9%
ORANGE COUNTY TOTAL	138,644	\$59,290	75.0%	13.4%	26.9%	28.9%
CHAPEL HILL	58,766	\$62,208	72.8%	20.9%	36.5%	18.6%
CARRBORO	20,639	\$51,182	71.3%	11.8%	23.4%	26.6%
HILLSBOROUGH	6,316	\$48,632	57.3%	6.5%	40.5%	19.8%

The county continues to grow, but at a slower rate than some similarly situated North Carolina counties.⁵ Most of this growth, as in other urban and suburban counties, has been from migration into the county rather than births.⁶ Unfortunately the state does not track out migration, so the extent to which native born Orange County residents have been pushed out by this growth is harder to document. One pattern is clear; despite its overall growth, Orange County has lost African American population. Between the 2000 and 2010 censuses the county population increased by 15,000, but the African American population decreased by almost 400.

Percentage of African American Population Since 1970



¹ A portion of Mebane, which straddles the Alamance County line, is also in Orange County.

² The UNC Center for Civil Rights is located in Chapel Hill. The managing attorney for the Center, Mark Dorosin, serves on the Orange County Board of Commissioners.

³ Most information was provided by the local governments in response to public records requests, from census data, from the US Department of Housing and Urban Development (HUD), the NC Department of Public Instruction (DPI), or from the UNC Environmental Finance Center. Sources for all data are available upon request. Please email civilrights@unc.edu.

⁴ Data in this table is from the 2011-2015 American Community Survey Estimates by the U.S. Census.

⁵ Compared to other NC counties that are largely commuters or suburban: with a population of 100K-200K and adjacent to Raleigh/Durham or Charlotte. Cabarrus County, Johnston County, and Harnett Counties all had faster growth. NC Office of State Budget and Management,

http://www.osbm.state.nc.us/ncosbm/facts_and_figures/socioeconomic_data/population_estimates/demog/countygrowth_by_size_2013.html.

⁶ Id.

The percentage of African American residents has consistently declined in Orange County and all of its towns since 1990.⁷ Individual causes of the shifting demographics are hard to isolate, but race and income correlate strongly. As Orange County grows without adding sufficient affordable housing, lower wealth predominantly African American residents are pushed out.⁸ Orange County's high property tax rates, water and sewer bills, and housing costs all likely contribute to the push out of lower wealth residents. Some cite the rural buffer, land adjacent to an urban or transition area that is rural in character and which should remain rural and not require urban services,⁹ as another factor that constrains housing stock and drives up costs.¹⁰

The loss of lower wealth residents has been most pronounced in historically African American neighborhoods closest to the University, such as the Northside community. Traditionally the Northside community extended from Rosemary Street north to Umstead Park and from Columbia Street west to Lloyd Street in Carrboro. However, many of those census blocks, especially along Columbia and Rosemary, are no longer majority African American. As evident from the below map, most of the census blocks in the community are now majority white. Only seven census blocks are still majority African American: between Broad and Lloyd in Carrboro, and around Graham, Nunn, Craig, and Bynum streets in Chapel Hill. Most of the other blocks in the Northside community are 20-40% African American. Although these census blocks still have a higher percentage of African American residents than Chapel Hill as a whole, the number of African American residents in the Northside is declining and much fewer than before. Overall, the community was nearly 60% African American in 1980, down to 24% in 2010.¹¹

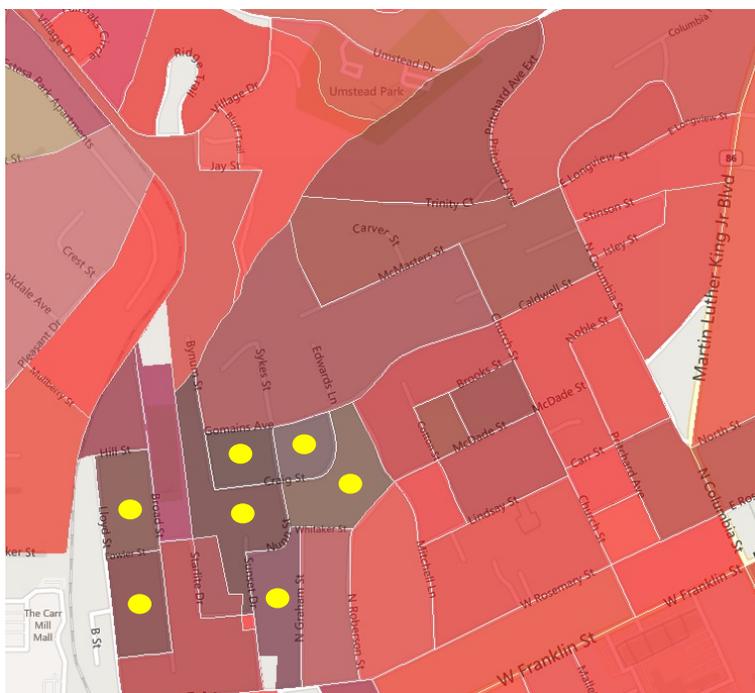


Figure 1: Northside community. The shading in the map corresponds to the racial demographics of the census blocks as of the 2010 Census, with white residents in red and African American residents in black. Majority African American census blocks are marked with yellow circles. The concentration of these few census blocks shows the continuing loss of African American residents in the community.

⁷ Hillsborough's African American population increased from 1970 through 1990 at least in part due to annexation of rural land owned and farmed by African Americans. Chapel Hill's African American population followed a similar pattern, but at a smaller scale, also peaking in 1990 due to annexations. Through the 1980's Chapel Hill and Hillsborough annexed land along the newly constructed I-40 highway.

⁸ Affordable Housing Information and Statistics, http://www.orangecountync.gov/departments/hhrcc/affordable_housing_statistics.php.

⁹ Local Officials Plan for Orange County's Rural Buffer, <http://chapelboro.com/news/local-government/local-officials-plan-orange-county-rural-buffer/>.

¹⁰ Triangle Multiple Listing Services, <http://www.slideshare.net/carolinachamber/2015-state-of-the-community-report>, pp. 26-31.

¹¹ Based upon Census Tract 113, which excludes the portion of Northside in Carrboro, and extends somewhat north of the traditional community boundaries up Martin Luther King Jr. Blvd.

Environmental Justice

The EPA defines environmental justice as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” In placing or permitting potentially polluting facilities, “ignoring” race results in environmental injustice because historically underdeveloped communities have lower property values and less political power, making them targets for unwanted facilities.

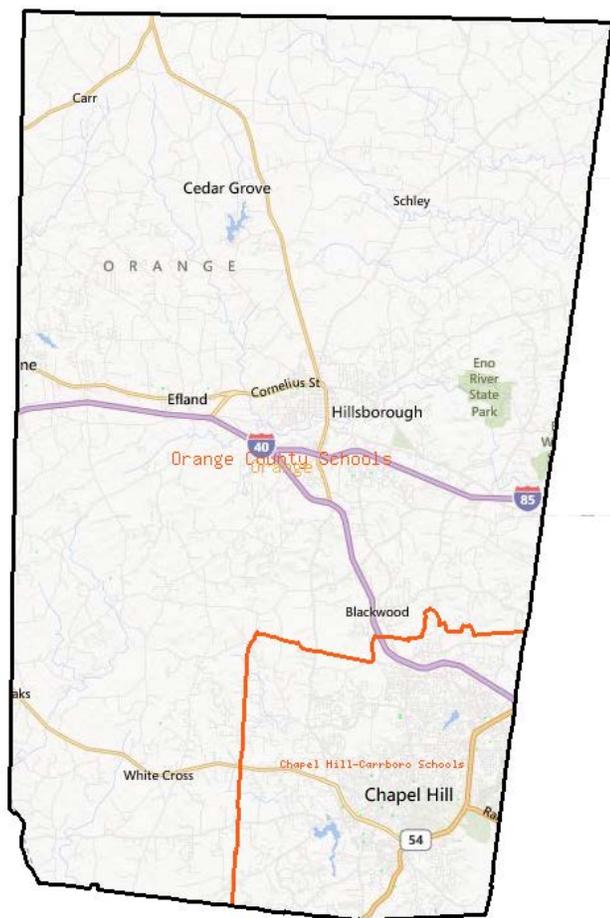
The Rogers Eubanks neighborhood between Carrboro and Chapel Hill is well known locally for its forty-year struggle against the landfills and a proposed waste transfer station sited in the community by the two towns and the county. One of only a handful of African American neighborhoods in southern Orange County, Rogers Eubanks hosted the county’s only solid waste facilities from the 1970’s until the landfill closed July 1, 2013. The county recycling facility and a solid waste “convenience center” remain in the neighborhood, which still lacks sewer service despite promises made when the landfill opened. As a result, the rate of exposure to solid waste facilities for residents of census blocks that are 75% or more non-white is 17%, as opposed to only 3% for the county as a whole. Compared to other wealthy counties, or to the state, Orange County has a smaller overall rate of exposure to solid waste facilities, but a higher exposure rate for these super majority non-white census blocks.

Unfortunately, issues of environmental racism in Orange County are not limited to the Rogers Eubanks neighborhood. Similar disparities emerge for the exposure rates to other types of potentially polluting facilities tracked by the EPA, disparities caused by facilities such as the OWASA Jones Ferry Road Water Treatment Plant, next to a majority Latino neighborhood in Carrboro.

	RESIDENTS OF CENSUS BLOCKS THAT ARE 75% OR MORE NON-WHITE		ENTIRE POPULATION	
	POPULATION	EXPOSURE RATE	POPULATION	EXPOSURE RATE
ORANGE COUNTY RESIDENTS EXPOSED TO A SOLID WASTE FACILITIES ¹²	6,315	16.72%	133,801	3.20%
TIER 3 COUNTY RESIDENTS EXPOSED TO A SOLID WASTE FACILITY	732,614	12.30%	4,823,641	6.21%
NORTH CAROLINA RESIDENTS EXPOSED TO A SOLID WASTE FACILITY	1,309,105	9.37%	9,535,483	5.34%
ORANGE COUNTY RESIDENTS EXPOSED TO AN EPA MONITORED POLLUTION SOURCE	6,315	46.57%	133,801	28.27%
TIER 3 COUNTY RESIDENTS EXPOSED TO AN EPA MONITORED POLLUTION SOURCE	732,614	51.06%	4,823,641	29.77%
NORTH CAROLINA RESIDENTS EXPOSED TO AN EPA MONITORED POLLUTION SOURCE	1,309,105	41.82%	9,535,483	24.25%

¹² Exposure rates are defined as being within a one-mile radius of an open or closed solid waste facility listed by the N.C. Department of the Environment and Natural Resources. For example, an exposure rate of 100% could mean either that all of the population lived within a mile of one facility, or that 25% of the population lived within one mile of four solid waste facilities.

Education



Orange County is divided into two school districts, the Chapel Hill-Carrboro City School (CHCCS) District that serves the southeastern corner of the county, and the Orange County School (OCS) District that serves the remainder.¹³

Both CHCCS and OCS receive significant local financial support for education. Orange County has the highest local per-pupil education expenditure of any county in North Carolina,¹⁴ spending nearly three-times as much money, per student, as the average county in the state.¹⁵ Beyond the county appropriation, a special tax district brings CHCCS an additional 20.84 cents per \$100 of assessed property value. During the 2015-16 fiscal year, the special tax district brought CHCCS more than \$22 million, bumping CHCCS’s local per-pupil funding up to \$5,503, while Orange County Schools’ local per-pupil funding is \$3,697.

Further comparison of the two school districts reflects the high concentration of wealth that exists in the towns of Chapel Hill and Carrboro. CHCCS has a larger student population, fewer students who are eligible for Free or Reduced Lunch (FRL), and better overall performance on standardized tests than OCS. CHCCS serves a higher percentage of non-white students because of its high Asian student population. However, OCS has higher percentages of both African American and Latino students.

Figure 2: School district boundaries in Orange County.

Racial Demographics in Orange County School Districts (2015-16)

SCHOOL	STUDENT POPULATION	PERCENTAGE OF WHITE NON-LATINO STUDENTS	PERCENTAGE OF AFRICAN AMERICAN STUDENTS	PERCENTAGE OF LATINO STUDENTS	PERCENTAGE OF ASIAN STUDENTS
CHAPEL HILL CARRBORO CITY DISTRICT	11,982	51.73%	11.04%	15.66%	14.94%
ORANGE COUNTY DISTRICT	7,534	59.52%	15.34%	19.78%	1.15%
ORANGE CHARTER	237	83.97%	3.80%	5.49%	1.69%
THE EXPEDITION SCHOOL	290	87.93%	1.38%	3.79%	1.38%

¹³ Orange County is also home to two charter schools, Orange Charter and The Expedition School. Woods Charter, located to the south in Chatham County, also attracts students from Orange County.

¹⁴ North Carolina Public School Forum, 2016 Local School Finance Study, p. 14 (Table 2), available at https://www.ncforum.org/wp-content/uploads/2013/05/PSF_LocalSchoolFinanceStudy_2016.pdf.

¹⁵ Id. at 3.

While CHCCS and OCS are well-resourced, high-performing school districts, both face challenges related to racial and socio-economic equity within their schools. Student assignment decisions have generated concern for many OCS parents, as the district’s highest and lowest performing schools are located in close proximity to one another in the town of Hillsborough. Hillsborough Elementary (HES) is a year-round school that attracts many wealthier, white students from around the district. Many of HES’s students would otherwise be districted to Central Elementary, a predominantly non-white school less than one-fifth of a mile away. In 2007, the OCS Board of Education considered merging HES and Central to address demographic and achievement disparities.¹⁶ However, the planned merger was eventually rejected and these disparities continue today. Last school year, 79% of HES students were white and just 17% FRL-eligible, with 75% of students passing all End-of-Grade (EOG) exams. Meanwhile, Central Elementary served a student population that was just 43% white and 80% FRL-eligible, with 50% of students passing their EOG exams.

CHCCS and OCS have both also faced persistent, district-wide achievement gaps between white students and African American and Latino students. Figure 3 shows that while OCS tracks the statewide achievement gap between white and African American students each year, CHCCS’s achievement gap is much wider. CHCCS’s wide testing disparities recently drew national attention, as researchers from Stanford University found that the achievement gap between the district’s white and African American students is the second-highest of any school district in the country.¹⁷

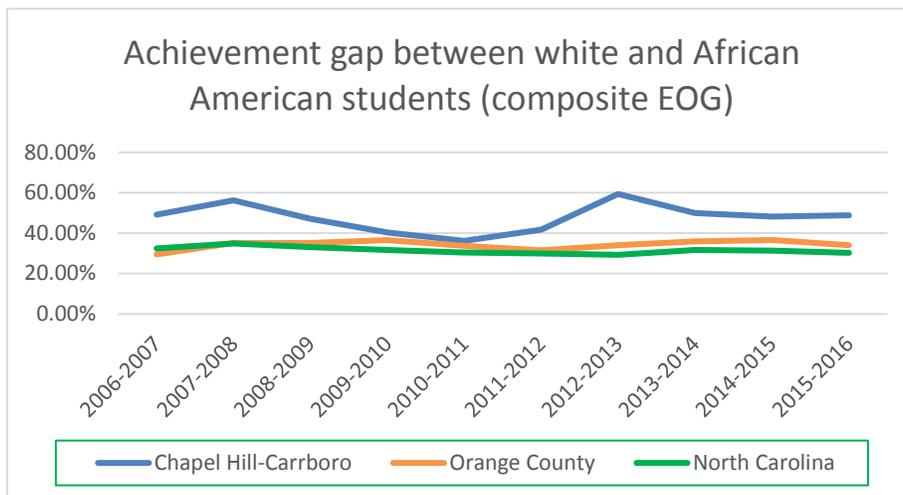


Figure 3: The above graph shows the difference in composite EOG test passage rates (i.e. the percentage of students who pass all EOG tests) between white and African American students in the CHCCS and OCS districts, as well as statewide. Note that CHCCS’s achievement gap may be underestimated for the 2009-2010, 2010-2011, and 2011-2012 school years because more than 95% of the district’s white students passed all their EOG exams during those years. The North Carolina Department of Public Instruction does not provide an exact EOG passage rate for racial/ethnic groups if more than 95% of students within that group pass their EOG exams.

The persistent racial and socio-economic achievement gaps in CHCCS and OCS reflect the fact that Orange County’s wealth is heavily concentrated among its white residents. Again, CHCCS serves as the starker example of this connection between race and socio-economic status. As of September 2015, 70% of the district’s African American students and 63% of its Latino students qualified for free and reduced lunch, compared to just 5% of the district’s white students.¹⁸ As illustrated in Figure 4, CHCCS’s drastic achievement gap is caused in part by the extremely high passage rate among its wealthy, white students. In 2015-16, CHCCS had the highest composite EOG passage rate among white

¹⁶ Raleigh News & Observer, “Panel on merging school districts outlines is strategy,” April 19, 2007.

¹⁷ See Motoko Rich, Amanda Cox, and Matthew Bloch, “Money, Race, and Success: How Your School District Compares,” NY Times, <http://www.nytimes.com/interactive/2016/04/29/upshot/money-race-and-success-how-your-school-district-compares.html>.

¹⁸ See Mark Schultz, “Chapel Hill Carrboro City Schools: ‘Putting race on the table,’” Raleigh News & Observer, <http://www.newsobserver.com/news/local/community/chapel-hill-news/article41994558.html>.

students of any school district in North Carolina.¹⁹ Meanwhile, the district’s composite EOG passage rates among African American and Latino students were 43rd and 70th in the state, respectively.²⁰

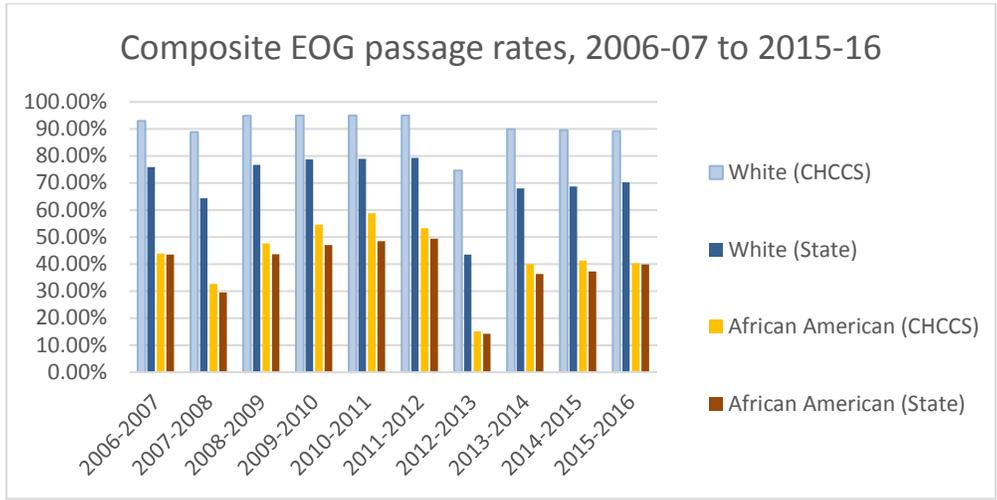


Figure 4: The above graph provides composite EOG passage rates for white and African American students in CHCCS and statewide during the same ten-year period tracked in Figure 3. The difference between white students in CHCCS and other groups may be underestimated for 2009-2010, 2010-2011, and 2011-2012 because more than 95% of CHCCS’s white students passed all their EOG tests during those school years. The North Carolina Department of Public Instruction does not provide an exact EOG passage rate for racial/ethnic groups if more than 95% of students within that group pass their EOG exams.

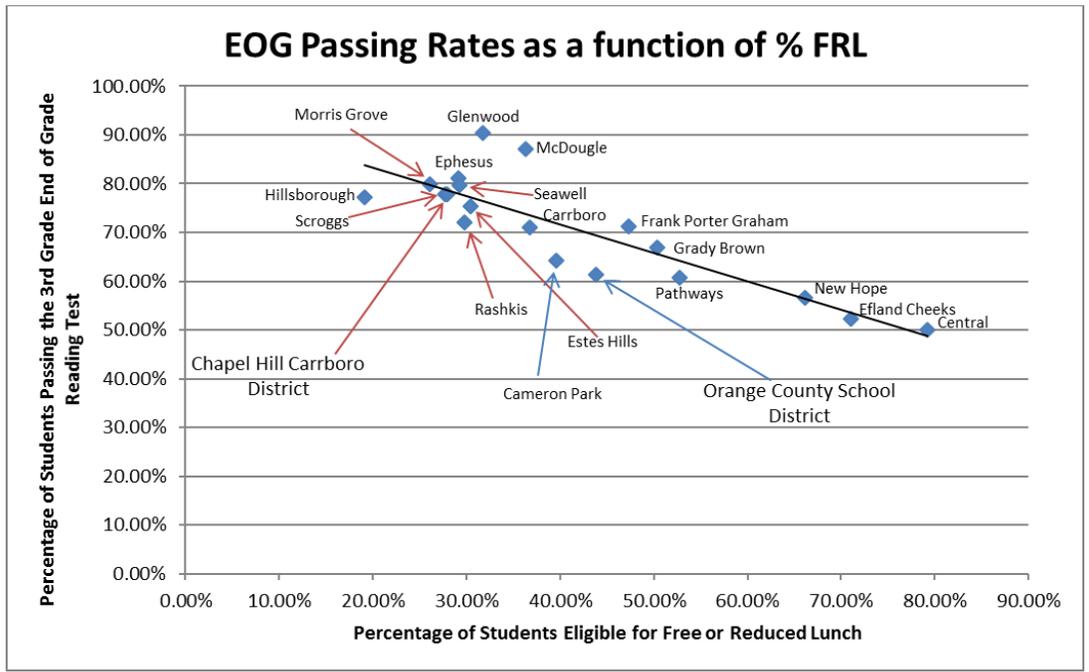


Figure 5: This graph demonstrates the relationship between socio-economic status of students (measured by FRL eligibility) and EOG passage rates. The black trend line shows FRL eligibility and EOG passage rates are strongly correlated in both OCS and CHCCS, as schools with the highest concentrations of low-wealth students generally have the lowest passage rates.

¹⁹ North Carolina Dep’t of Public Instruction, Accountability and Testing Results: 2015-16 State, District, and School Level Drilldown Performance Data, <http://www.ncpublicschools.org/accountability/reporting/>.
²⁰ Id.

Utilities and Infrastructure

Access to water and sewer continues to be an issue for racially-identifiable excluded communities in Orange County. The Rogers Eubanks community, in addition to hosting the landfill and other potential ground water contaminants, still lacks complete sewer service after more than three decades of advocacy. Much progress has been made, with most residents in the neighborhood now connected to municipal water through the combined efforts of the Rogers Eubanks Neighborhood Association (RENA),²¹ staff and students with the UNC School of Public Health, and the local governments. Additionally, in large part as a result of these efforts, the three local governments, Orange County, Chapel Hill, and Carrboro, are now in the process of providing needed sewer service to the residents.

Other excluded communities in the county have received less publicity, but have no less need for water and sewer infrastructure. On the western edge of the county, the Buckhorn and Perry Hill neighborhoods are historic African American communities just outside of the town of Mebane, that still lack complete water and sewer service. Orange County received Community Development Block Grants to extend water and sewer infrastructure to attract industry to the Buckhorn Mebane Economic Development District, some of which was used to provide service to residents of the historic Buckhorn neighborhood. Many historic residents along Buckhorn Road have left as part of their neighborhood has been rezoned to accommodate industrial uses not traditionally allowed there and not allowed in other neighborhoods. Remaining residents along Washington Street have water service, but there are no current plans to extend additional sewer service in the area.

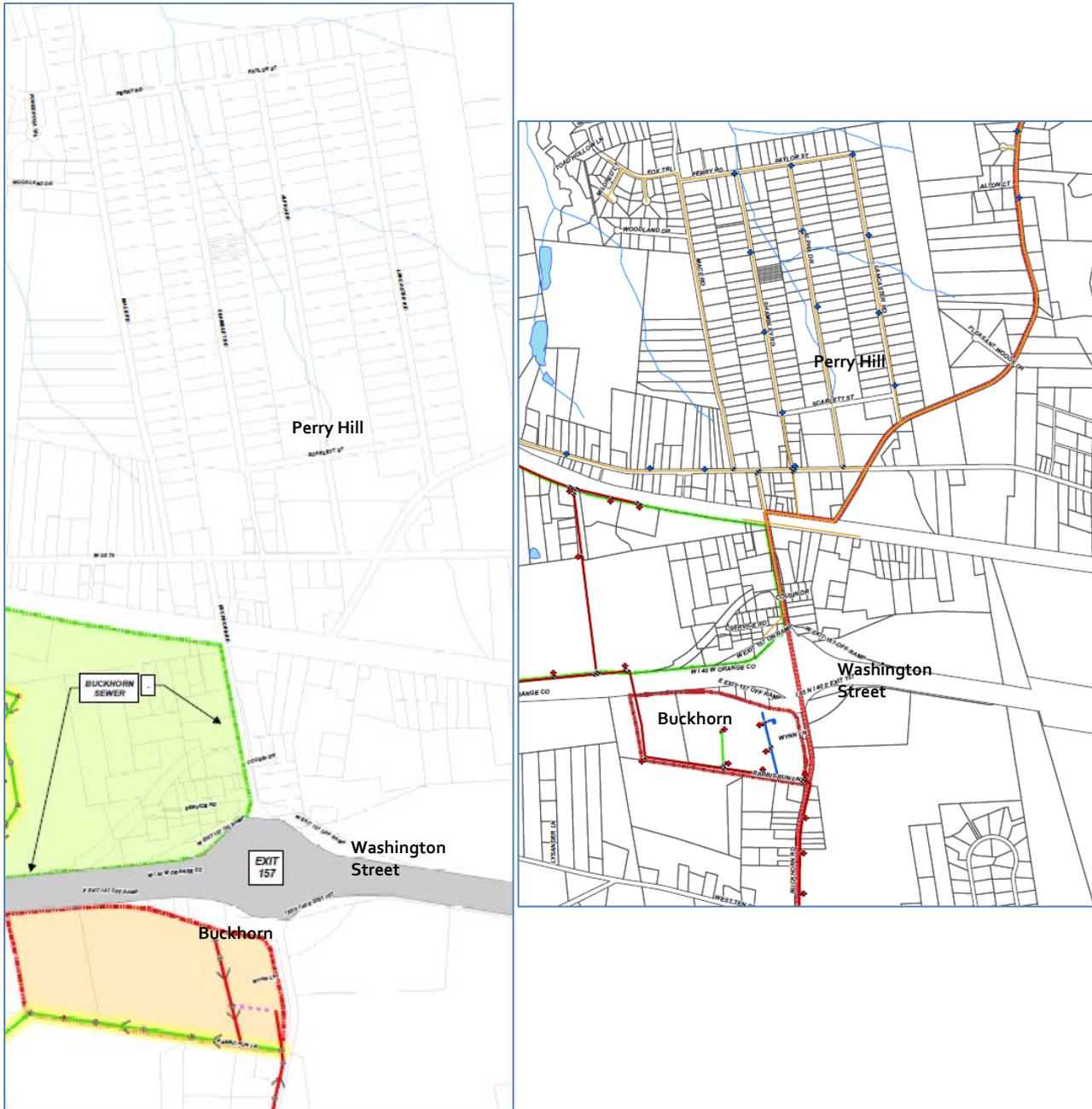
Despite the millions in funding Orange County continues to spend to turn the area around the Perry Hill community into an industrial “economic development district,” there are no plans to provide sewer service to the area. A 2002 EPA-funded study by the West End Revitalization Association in conjunction with researchers from the UNC School of Public Health Department of Environmental Science and Engineering found evidence that failing septic tanks in the neighborhood have contaminated the surface water in the community with fecal coliforms, E. coli, and Enterococci.²²

Conclusions and Recommendations

As Orange County continues to lose its African American and low-wealth residents, it becomes increasingly important to act to fully include remaining communities and ensure their equal access to needed services, high quality education, and affordable housing opportunities. Notably, in 2016, Orange County voters approved a \$5 million bond for affordable housing development. Other steps toward greater inclusion will likely challenge the political commitment of county leaders and residents to diversity and equality, as they would include following through with commitments to provide needed infrastructure to neighborhoods that are burdened with industrial, solid waste, and other unwanted land uses, and using revenue from the high tax rates to subsidize and preserve affordable housing for traditional residents of Northside, Pine Knolls, and other historically African American neighborhoods. Furthermore, the persistence of wide racial achievement gaps in Orange County’s two public school districts challenges school officials to provide educational resources that can overcome socio-economic barriers and help lower wealth, non-white students excel in the same manner as their wealthier, white peers.

²¹ RENA is a client of the UNC Center for Civil Rights, which represented them in seeking water and sewer service, as well as stopping the location of a waste transfer station in the community and advocating for the closing of the landfill. The Center currently represents RENA in a Title VI complaint with the EPA against OWASA and Orange County alleging racial discrimination in the provision of water and sewer service.

²² http://www.wera-nc.org/News/epa/epaej_1202.htm.



Figures 6 & 7: Figure 6, left, shows existing sewer lines in Buckhorn and Perry Hill. Currently there is only sewer service along Buckhorn Road for a few blocks north and south of the interstate, serving the primarily industrial customers to the west. Figure 7, right, shows water lines in this area, with service available along Buckhorn Road and part of Washington Street, provided by the City of Mebane, and service to Perry Hill provided by Orange-Alamance Water systems. Note figures 6 & 7 show the same area at different scales.

About the Inclusion Project

Civil rights advocates have long recognized that housing segregation creates inequality in living conditions related to housing, like clean drinking water, the type and condition of homes, and exposure to pollution. Residential segregation also undermines equal access to education, public resources, and employment, and frustrates democracy at every level. Despite this understanding, most advocates address these issues piecemeal. Schools may desegregate for a time, but as segregated housing patterns persist, they tend to re-segregate. A community may successfully fight off one polluter but lack the political power to prevent the next. Few victories remain won.

One impediment to integration is an individualistic legal framework where civil rights are perceived as individual rights and racial discrimination as a personal experience. The opposite is true. Housing segregation operates at a neighborhood level. When a neighborhood is overwhelmingly one race, all of the residents face impacts of that segregation, regardless of their own race or circumstances. Individuals face other forms of racial discrimination individually, for example in employment or access to higher education, but even these types of discrimination are reinforced and perpetuated by segregated communities.

This project uses North Carolina as a case study of impacts tied to super-majority non-white neighborhoods called excluded communities. The term “excluded” is applied broadly to refer to any community excluded socially, politically, or economically from opportunities available to other residents. These studies hypothesize that super-majority non-white neighborhoods will face greater than average impacts of housing segregation suggestive of community exclusion based on race.

One particular form of exclusion that the Inclusion Project analyzes is the phenomenon of municipal underbounding, which occurs where a municipality’s limits do not include a neighborhood that would otherwise be within the municipal limits based upon its location, density, and history. Underbounding is sometimes obvious; an African American neighborhood may be completely surrounded by the municipal limits but not included, a doughnut hole. Other cases are not immediately apparent; a community may be near but not directly adjacent to a municipality, but still underbounded based upon the social and historical context.

Our goal is to provide communities, advocates, funders, and policy makers with an understanding of the shared causes of the overlapping challenges facing excluded communities, provide them with data on the seriousness of the issues, and to suggest where additional data is needed. The first phase of the project was a statewide analysis resulting in the publication of the *State of Exclusion* report. The results were startling, especially with respect to educational disparities and environmental justice issues, but ultimately the report raised more questions than provided answers. The Inclusion Project of the UNC Center for Civil Rights now continues this work with further research into individual counties and communities and through continued direct representation.

UNC Center for Civil Rights

323 West Barbee Chapel Road, Chapel Hill, NC 27517

civilrights@unc.edu

www.uncinclusionproject.org