

Fill in the realities and results chart below, providing information about the social, political, and economic realities and results of school segregation and integration in both the 1950s/1960s and today.

1950s & 1960s	REALITIES	RESULTS
SOCIAL		
POLITICAL		
ECONOMIC		
TODAY	REALITIES	RESULTS
SOCIAL		
POLITICAL		
ECONOMIC		

# ACTIVITY THREE: EDUCATIONAL ACCESS

## TEACHER DEBRIEFING SHEET

### DISCUSSION QUESTIONS:

1. What are some of the effects of an educational system that is racially segregated?
2. Describe the outcome of the *Brown v. Board* decision. What are some of the challenges the United States faced in attempting to enforce the *Brown* decision?
3. What is the history of affirmative action? What are some of the arguments for and against affirmative action? Does your group think that affirmative action should continue? Why or why not?
4. Compare and contrast *de jure* and *de facto* segregation in schools. What are some of the reasons *de facto* segregation is becoming more common in schools in the United States?
5. Should schools in the United States today be integrated? If so, how? If not, why not?
6. To what extent has the school desegregation movement made the United States a more equal and just society?

### TASK:

Create a mural that shows the realities and results of school segregation and integration in the United States during the 1950s and 1960s as well as the realities and results of school segregation and integration today.

### TASK EVALUATION CRITERIA:

- Mural includes the realities and results of school segregation and integration in both the Civil Rights era (1950s and 1960s) and today.
- Mural includes specific people, places, events, court cases, and legislation.
- Mural makes use of two or more of the following visual techniques: color, texture, symbols, 3-dimensional effects, and scale.
- Mural includes multiple perspectives on both eras represented (Civil Rights era and today).
- Mural addresses the extent to which the Civil Rights Movement has made the United States educational system more equal and just.

### EXTENSION QUESTIONS:

1. What would it take in order to have fully integrated schools in the United States?
2. What are the benefits of integration? What are the drawbacks of integration?
3. What is your opinion about affirmative action?
4. Describe the arguments on both sides of the *Bakke* case. Which side do you agree with and why?
5. Explain the “cycle of inequality” described in your Resource Cards (Resource Card 6). How can the cycle be broken?
6. How is segregation in schools in the United States today similar to or different from the segregation that existed in schools in the 1950s and 1960s?
7. What are the political, social, and economic impacts of segregated schools?
8. What are the short-term and long-term effects created by segregated schools?
9. Why were fewer minorities admitted to UCLA’s law school after the passage of Proposition 209?
10. Why does affirmative action exist?

## ACTIVITY THREE: EDUCATIONAL ACCESS

### ACTIVITY CARD

Prior to the 1950s, Jim Crow laws enforcing segregation in Southern schools were upheld by the Supreme Court. In 1896, the court ruled in *Plessy v. Ferguson* that local and state governments could provide schools and public services that were “separate but equal.” However, in reality, the facilities were grossly unequal. Many African American families found it difficult to obtain decent bus transportation and classrooms for their children. During the winter, for example, while most white schoolchildren learned in comfortable, heated classrooms, black children either sat in a back section behind glass or in unheated, tar-covered shacks.

Many African Americans felt that the segregation of schools in the South was not only unjust in the present, but also threatened the future equality of blacks. Parents and civil rights leaders also feared the harmful psychological effects segregation could have on their children. Therefore, they sought to legally challenge school segregation.

Although the Supreme Court reversed the earlier *Plessy v. Ferguson* decision in 1954’s *Brown v. Board of Education of Topeka, Kansas*, segregation continued to persist. Little by little, social protest and legal action brought an end to *de jure*, or legal, segregation in U.S. schools. However, as the United States embarks on the 21<sup>st</sup> century, segregation of another sort, *de facto* (“in fact but not in law”) segregation, has become more widespread.

People working towards equality in education in the United States today have proposed a variety of solutions to reach this goal. Those solutions include: changing the current property tax-based funding structure for schools; creating magnet programs; and implementing school choice programs, including voucher programs, that allow families to select from an array of public and private school options.

Directions: Read the Resource Cards and analyze the visuals. Discuss the following questions with your group:

1. What are some of the effects of an educational system that is racially segregated?
2. Describe the outcome of the *Brown v. Board* decision. What are some of the challenges the United States faced in attempting to enforce the *Brown* decision?
3. What is the history of affirmative action? What are some of the arguments for and against affirmative action? Does your group think that affirmative action should continue? Why or why not?
4. Compare and contrast *de jure* and *de facto* segregation in schools. What are some of the reasons *de facto* segregation is becoming more common in schools in the United States?
5. Should schools in the United States today be integrated? If so, how? If not, why not?
6. To what extent has the school desegregation movement made the United States a more equal and just society?

**Task:** Create a mural that shows the realities and results of school segregation and integration in the United States during the 1950s and 1960s as well as the realities and results of school segregation and integration today.

## **TASK EVALUATION CRITERIA**

- **Mural includes the realities and results of school segregation and integration in both the Civil Rights era (1950s and 1960s) and today.**
- **Mural includes specific people, places, events, court cases, and legislation.**
- **Mural makes use of two or more of the following visual techniques: color, texture, symbols, 3-dimensional effects, and scale.**
- **Mural includes multiple perspectives on both eras represented (Civil Rights era and today).**
- **Mural addresses the extent to which the Civil Rights Movement has made the United States educational system more equal and just.**

## ACTIVITY THREE: EDUCATIONAL ACCESS

### RESOURCE CARD 1 OF 6

#### The *Brown v. Board* Supreme Court Case



Linda Brown (left) with her parents, Leola and Oliver, and sister, Terry.

In 1896, the U.S. Supreme Court had ruled in *Plessy v. Ferguson* that segregation was constitutional as long as separate facilities were equal. Since the 1930s, lawyers for the National Association for the Advancement of Colored People (NAACP) had traveled throughout the South, gathering evidence to prove that segregated schools were never equal and that black schools were often desperately underfunded. By ending inequality in schools, they hoped to bring down all segregation in America.

In 1950, having laid a foundation of protests and legal challenges, the NAACP was ready to take its case to the highest court in the land. That year, the NAACP enlisted thirteen black parents in Topeka, Kansas to serve as plaintiffs in the case they were building. They advised the parents to try to enroll their children in white schools near their homes. That fall, the Reverend Oliver Brown walked his eight-year-old daughter Linda to the Sumner School...

The case, filed as *Brown v. Board of Education of Topeka*, went to the Supreme Court, where it was argued by Thurgood Marshall and other attorneys from the NAACP Legal Defense Fund. They spoke on behalf of plaintiffs not only in Topeka, Kansas, but also in South Carolina, Delaware, Virginia, and the District of Columbia. On May 17, 1954, Chief Justice Earl Warren announced the court's unanimous decision: "It is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity...is a right which must be available to all on equal terms. Separate educational facilities are inherently unequal." This landmark ruling began the United States' long journey toward school desegregation. One year later, the Supreme Court published guidelines requiring public school systems to integrate "with all deliberate speed."



NAACP lawyers (Thurgood Marshall, center) congratulate each other on the decision in *Brown v. Board of Education of Topeka* (1954).

Despite the Supreme Court ruling that made segregation illegal, an overwhelming majority of whites in southern states strongly opposed school integration. Whites from Mississippi to Arkansas viewed racial integration as "mongrelization," or the mixing of breeds, which would threaten their racial heritage. Many whites also claimed that the NAACP and the civil rights movement were part of a Russian plot to install communism in the United States. By the end of 1955, residents had formed over 568 local pro-segregation organizations claiming a total of 208,000 members. The most prominent groups, the Ku Klux Klan and newly formed White Citizens' Councils, succeeded in closing some Southern public schools for ten years. Using loopholes in the Supreme Court's ruling, the federal government stalled desegregation efforts for fear of losing white voter support, and 100 congressional representatives even signed the Southern Manifesto in 1956 opposing desegregation. The only exceptions were a few white officials, like those in St. Louis, Missouri, who promptly designed an 18-month plan to desegregate the city's Teachers College and schools.

## ACTIVITY THREE: EDUCATIONAL ACCESS

### RESOURCE CARD 2 OF 6

#### The Desegregation of Little Rock's Central High

In the summer of 1957, the city of Little Rock, Arkansas, made plans to desegregate its public schools. Within a week of the 1954 *Brown v. Board* Supreme Court decision striking down racial segregation in public schools, Arkansas was one of two Southern states to announce it would begin immediately to take steps to comply with the new "law of the land." Arkansas' law school had been integrated since 1949. By 1957, seven of its eight state universities had desegregated. Blacks had been appointed to state boards and elected to local offices. Little Rock felt it could break down the barriers of segregation in its schools with a carefully developed program. It had already desegregated its public buses, as well as its zoo, library and parks system. Its school board had voted unanimously for a plan, starting with desegregation in the high school in 1957, followed by junior high schools the next year and elementary schools following. But the smooth transition to the school system's integration was not to be.



Elizabeth Eckford, one of nine black students chosen to begin the integration of Central High, is blocked from entering school on the first day of classes in 1957 by Arkansas National Guardsmen.

On September 2, the night before school was to start, Arkansas Governor Orval Faubus called out the state's National Guard to surround Little Rock Central High School and prevent any black students from entering. Faubus did this in order to protect citizens and property from possible violence by protesters he claimed were headed in caravans toward Little Rock. A federal judge granted an injunction against the Governor's use of National Guard troops to prevent integration and they were withdrawn on September 20.

When school resumed on Monday, September 23, Central High was surrounded by Little Rock policemen. About 1,000 people gathered in front of the school. The police escorted the nine black students to a side door where they quietly entered the building as classes were to begin. When the mob learned the blacks were inside, they began to challenge the police and surge toward the school with shouts and threats. Fearful the police would be unable to control the crowd, the school administration moved the black students out a side door before noon.

U.S. Congressman Brooks Hays and Little Rock Mayor Woodrow Mann asked the federal government for help, first in the form of U.S. marshals. Finally, on September 24, Mann sent a telegram to President Eisenhower requesting troops. They were dispatched that day and the President also federalized the entire Arkansas National Guard, taking it away from the Governor. On September 25, 1957, the nine black students entered the school under the protection of 1,000 members of the 101st Airborne Division of the United States Army.

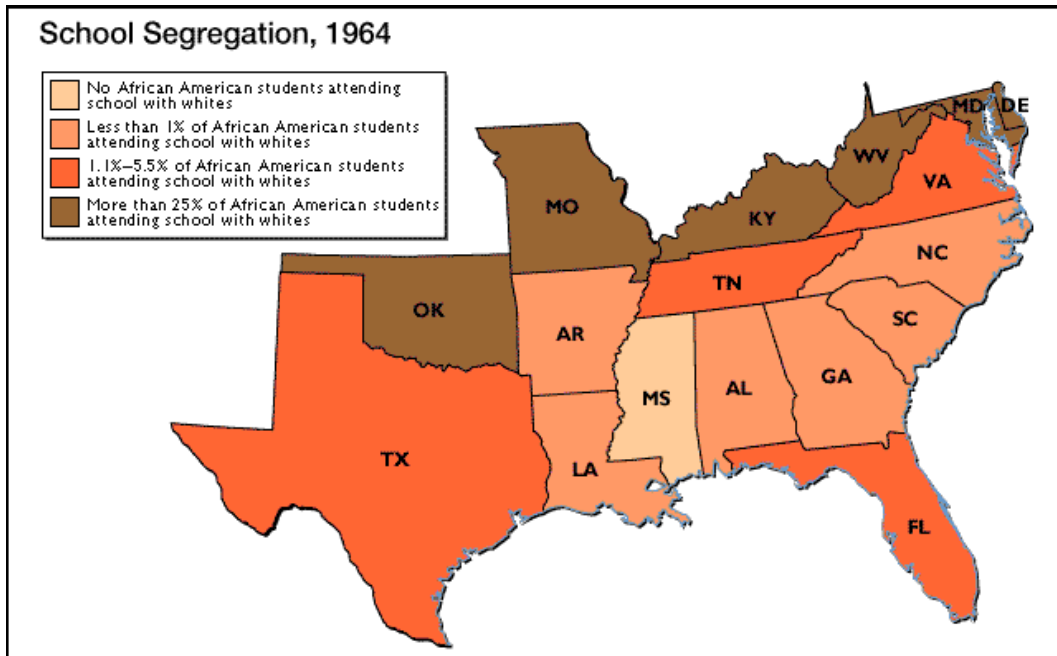
Under federal protection, the "Little Rock Nine" finished out the school year. The following year, Faubus closed all the high schools rather than integrate them, forcing students to attend private schools, take correspondence courses, or go to out-of-state schools. The school board reopened the schools in the fall of 1959, and despite more violence--for example, the bombing of one student's house--four of the nine students returned, this time protected by local police.



Ernest Green, center, the first black graduate of Little Rock Central High, May 27, 1958.

## ACTIVITY THREE: EDUCATIONAL ACCESS

### RESOURCE CARD 3 OF 6 The 1960s: The Battle Continues



James Meredith  
Oxford, Mississippi, 1962

#### **James Meredith and the Desegregation of “Ole Miss”**

In 1961, James Meredith, an African American, sought to enroll in law school at the University of Mississippi. After being denied admission, Meredith and the NAACP took his case to court. In 1962, the Supreme Court ordered the school to admit Meredith. However, Mississippi Governor Ross Barnett fought hard to defend “Ole Miss’s” all-white student registration. Barnett even attended a football game where he yelled from the 50-yard-line to thousands of cheering spectators, “I love Mississippi!” “I love her people!” and “I love her customs!” Supported by national civil rights leaders, James Meredith faced Ku Klux Klan threats, rode in bullet-

ridden patrol cars, and walked through a crowd of 2,000 white protestors to begin his law studies at the university. Though riots at Ole Miss killed at least two people in 1962, Meredith’s enrollment irreversibly began its desegregation process.

#### **Head Start**

Head Start, launched as an eight-week summer program by the Office of Economic Opportunity in 1965, was designed to help break the cycle of poverty by providing preschool children of low-income families with a comprehensive program to meet their emotional, social, health, nutritional, and psychological needs. Recruiting children age three to school entry age, Head Start was enthusiastically received by educators, child development specialists, community leaders, and parents across the Nation. Head Start now serves approximately 751,000 children and their families each year in urban and rural areas in all 50 States, the District of Columbia and US Territories – including many American Indian and migrant children.

## ACTIVITY THREE: EDUCATIONAL ACCESS

### RESOURCE CARD 4 OF 6 Affirmative Action

In its tumultuous 30-year history, affirmative action has been both praised and criticized as an answer to racial inequality. The policy was introduced in 1965 by President Johnson as a method of redressing discrimination that had persisted in spite of civil rights laws and constitutional guarantees. "This is the next and more profound stage of the battle for civil rights," Johnson asserted. "We seek... not just equality as a right and a theory, but equality as a fact and as a result."

Focusing in particular on education and jobs, affirmative action policies required that active measures be taken to ensure that blacks and other minorities enjoyed the same opportunities for promotions, salary increases, career advancement, school admissions, scholarships, and financial aid that had been the nearly exclusive province of whites. From the outset, affirmative action was envisioned as a temporary remedy that would end once there was a "level playing field" for all Americans.

By the late '70s, however, flaws in the policy began to show up amid its good intentions. Reverse discrimination became an issue, epitomized by the famous Bakke case in 1978. Allan Bakke, a white male, had been rejected two years in a row by a medical school that had accepted less qualified minority applicants—the school had a separate admissions policy for minorities and reserved 16 out of 100 places for minority students. The Supreme Court outlawed inflexible quota systems in affirmative action programs, which in this case had unfairly discriminated against a white applicant. In the same ruling, however, the Court upheld the legality of affirmative action in and of itself.

Fueled by "angry white men," a backlash against affirmative action began to mount. To conservatives, the system opened the door for jobs, promotions, or education to minorities while it shut the door on whites. In a country that prized the values of self-reliance and pulling oneself up by one's bootstraps, conservatives resented the idea that some unqualified minorities were getting a free ride on the American system. "Preferential treatment" and "quotas" became expressions of contempt. Even more contentious was the accusation that some minorities enjoyed playing the role of professional victim. Why could some minorities who had also experienced terrible adversity and racism—Jews and Asians, in particular—manage to make the American way work for them without government handouts?

Liberals countered that "the land of opportunity" was a very different place for the European immigrants who landed on its shores than it was for those who arrived in the chains of slavery. As historian Roger Wilkins pointed out, "blacks have a 375-year history on this continent: 245 involving slavery, 100 involving legalized discrimination, and only 30 involving anything else."

Considering that Jim Crow laws and lynching existed well into the '60s, and that myriad subtler forms of racism in housing, employment, and education persisted well beyond the civil rights movement, conservatives impatient for blacks to "get over" the legacy of slavery needed to realize that slavery was just the beginning of racism in America. Liberals also pointed out that another popular conservative argument—that because of affirmative action, minorities were threatening the jobs of whites—belied the reality that white men were still the undisputed rulers of the roost when it came to salaries, positions, and prestige.

## ACTIVITY THREE: EDUCATIONAL ACCESS

### RESOURCE CARD 5 OF 6

#### Affirmative Action and California: The Bakke Case and Proposition 209

##### *Regents of the University of California v. Bakke*

In response to affirmative action policy, the Regents of the University of California established quotas for minority groups in the entrance policies of the universities in their system. The policy for the University of California, Davis, medical school was that 16% of the openings would be set aside for female and minority candidates, while the remaining slots were open to all comers. In effect, women and minority candidates had 100 positions for which to compete, while white male candidates had just 84.

In both 1973 and 1974 a white man named Allan Bakke applied to the medical school. Both times he was denied entrance even though his grades and interview scores ranked him higher than many of the minority candidates who were admitted under affirmative action quotas.

Allan Bakke sued. The case came to be called *Regents of the University of California v. Bakke*. Over the next few years it moved through the California courts and then to the United States Supreme Court for a decision. The *Bakke* case came to the Supreme Court in 1978. The issues considered in the *Bakke* case were the 14th Amendment and the 1964 Civil Rights Act.

The Court ruled 5 to 4 in favor of Bakke, striking down U.C. Davis's explicit "set-asides" (positions reserved for minority applicants) as unconstitutional. The Court based its decision on its interpretation of individual rights as guaranteed by the 14th Amendment, which forbids the government from depriving any citizen of due process and equal protection of the laws. As a result of the Supreme Court decision, Bakke was admitted to the medical school and graduated in 1992.

This Court decision put an end to racial quotas in the admissions process at public universities. However, the Court did not say that public institutions had to disregard race and ethnicity completely. Instead it stated that race could be considered as long as other factors such as economic disadvantage were considered as well. Thus, the *Bakke* decision paved the way for the Court and society to continue some affirmative action policies while beginning a discussion of how to better create more diverse representation in university admissions and other aspects of American life.

##### What Proposition 209 does:

- Prohibits the state, local governments, districts, public universities, colleges, and schools, and other government instrumentalities from discriminating against or giving preferential treatment to any individual or group in public employment, public education, or public contracting on the basis of race, sex, color, ethnicity, or national origin.
- Does not prohibit reasonably necessary, bona fide qualifications based on sex and actions necessary for receipt of federal funds.
- Mandates enforcement to extent permitted by federal law.
- Requires uniform remedies for violations.

##### History of California Proposition 209

**1996:** California voters chose to eliminate policies that granted preferential treatment to minorities and women by initiative, Proposition 209.

**1997:** The Supreme Court refused to hear a case involving Proposition 209. This granted the state the right to abolish race and gender based preferences in state institutions.

**1998:** For the first time since the 1970s, admissions decisions in both the University of California and the California State University System were made without factoring for race or gender. The result: fewer under-represented minorities are admitted to leading UC campuses.

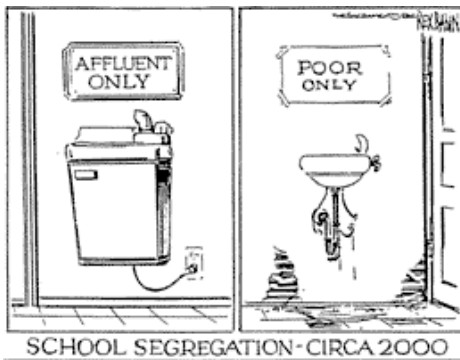
Here's how enrollment broke down for UCLA's first post-Proposition 209 law school class, compared to the previous year's class:

- White: + 30%
- Asian: + 70%
- Latino: - 17%
- African American: - 50%

## ACTIVITY THREE: EDUCATIONAL ACCESS

### RESOURCE CARD 6 OF 6 Segregation in Education Today

American schools are becoming increasingly segregated, despite the nation's growing diversity, and offer vastly unequal education opportunities. Research by Harvard University shows that white students are now more likely to be educated away from black and Latino pupils, who in turn go to predominantly minority schools. "White children are growing up in a society that is going to become more than half minority, and they are almost totally isolated from these minorities," said Gary Orfield, co-director of the Harvard University Civil Rights Project that conducted the study. The rise in segregation stems from a series of US Supreme Court decisions in the 1990s that limited moves to mix schools across city-suburban boundaries, leaving central city schools overwhelmingly poor, researchers say.



Using data from the National Center of Education Statistics, the Harvard study found that:

- 70% of black students now attend schools where minority enrolment is over 50%
- 36.6% of Latino students go to minority schools, up from 23.1% in 1980
- white students on average attend schools where 80% plus are white
- from 1988 to 1998, the number of black pupils in majority white schools decreased from 43.5% to 32.7%

Researchers say segregation is increasing despite America's increasing racial and ethnic groups, in particular the rapid growth of 245% in the Latino student population over the past 30 years. Civil Rights Project co-director Gary Orfield said segregation was contributing to a growing gap in quality between schools attended mainly by white pupils and those serving a large proportion of minority students. "This is ironic, considering that evidence exists that desegregated schools both improve test scores and positively change the lives of students," he said. Not only minority students suffer from being educated separately, according to Mr Orfield. Attending mixed schools would prepare white students better for life in an increasingly mixed society. "These suburban (white) kids are vastly unprepared for the future," he said.



In 1954, the *Brown v. Board* ruling saw the beginning of a program of desegregation, with the aim that all public schools would teach pupils of all races. Researchers say one reason for the reverse trend dates back to 1974 when the U.S. Supreme Court banned moves to mix schools across city-suburban boundaries. Subsequent rulings that limited moves to desegregate have also left central city schools overwhelmingly attended by minorities, they say. The study says the southern United States, the focus of moves to desegregate schools half a century ago, is moving backwards at an accelerating rate.

Racially segregated schools, except those predominantly white, are almost always those with high concentrations of poverty, the study says. The average black or Latino student attends a school with more than twice as many poor classmates as a white student.

## ACTIVITY THREE: EDUCATIONAL ACCESS

### INDIVIDUAL REPORT

Pretend that you are one of the “Little Rock Nine.” Write a letter to the editor addressing current issues of educational access. In your letter, be sure to compare and contrast current issues pertaining to educational access with your experience as a member of the Little Rock Nine in the 1950s and 1960s.

#### Evaluation Criteria:

- Response is written from the point of view of one of the Little Rock Nine.
- Response compares and contrasts current issues of educational access with your experience (as a member of the Little Rock Nine) in the 1950s and 1960s.
- Response refers to at least six specific people, places, events, court cases, legislation, policies, and/or statistics.
- Response includes discussion of the extent to which the Civil Rights Movement has made access to education in the United States more just and equal.