

A Timeline of the African-American Struggle for Desegregation and Equity Prior to and Since the *Brown v. Board of Education* Decision¹

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A white paper written for the Spencer Foundation, the Learning Policy Institute, and the California Association of African-American Superintendents and Administrators

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This year, 2024, marks the 70th Anniversary of the landmark court decision in education which sought to end legal segregation, *Brown v. Board of Education*. At the time, the hope was that ending segregation would address the vast and deep inequities in educational resources by race that had long been the legacy of schooling in the United States. Getting to the *Brown* decision was a long, hard battle, fought by civil rights attorneys, but also by educators, social psychologists, and members of the Black community—parents and students. And yet, despite the hopes for resource equity and higher quality education for Black students, inequities by race still plague our education system, and the promises of *Brown* remain substantially unfulfilled.

This paper is a part of a series, titled *Brown at 70: Reflections and The Road Forward*. The series consists of nine papers by leading scholars of educational equity, and each takes an honest look at the progress since *Brown*, documenting the shifts over time on key aspects of education including segregation levels of schools across the country, achievement trends in relation to policies and practices over time, the diversity of the teaching force, access to resources, the role of Black scholars and community activism, and the relationship between democracy and education. Taken together, the set of papers offers both an historical look at the impacts of the *Brown* decision, and, importantly, also offers guidance for the road ahead—promising policies, practices, and directions for the schools we need.

The cover art for this series is a reproduction of the Jacob Lawrence painting from 1960, *The Library*, which depicts the library as a vibrant learning setting for Black community members, and signifies the important of reading, learning, and education in the Black tradition.

— Na'ilah Suad Nasir, Spencer Foundation President
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Introduction

While the landmark *Brown v. Board of Education of Topeka* decision was a seismic event in U.S. history, it did not occur within a historical vacuum. America's racial history has always been in conflict with the principles championed in the U.S. Constitution.

Indeed, African-Americans were “stamped from the beginning,” as Ibram X. Kendi noted in his examination of the history of enslaved and free Black people from the 1600s through emancipation²; newly emancipated Blacks basked in the Reconstruction promises of the late 1800s; Blacks victimized by Jim Crow laws in the early and middle 1900s; Blacks fervently uplifted by revived hopes of equality during Civil Rights Movement of the tumultuous 1960s; and Blacks facing massive White resistance to Black (social, political, and economic) progress in the late 1970s through the 1990s. In the 21st century, African-Americans continue the struggle against the vestiges of racialized restrictions on their life and liberty.

In the 1960s, Black Americans were regularly admonished by Whites to be more “patient”—although our 400-year history reveals a people whose degree of patience borders on the superhuman. It was Black faith in a Higher Power and intermittent positive events that encouraged Black dreams of freedom and equality to survive for centuries. The Emancipation Proclamation, the early stages of the Reconstruction Era, and the passage of Amendments XIII, XIV, and XV to the U.S. Constitution comprised the few and far between bright spots. *Hope*, often supported through religious beliefs and community, was generally the primary source of energy driving Black America forward since our earliest days in North America. A synopsis of “the Faith of the Fathers” in W. E. B. DuBois’ “The Souls of Black Folks” succinctly stated that “Christian churches and their promise of heaven appealed to Black enslaved people because their life on earth was a living hell, and the churches that Black people created for themselves made their suffering more bearable”.³

What follows is not an exhaustive account of *Black* history, but a summary of how *American* history impacted Black education, a subject that warrants a prominent role in our schools. These events have undeniably shaped the American story in ways that should not be dismissed, overlooked, or suppressed, as they constitute the academic centerpiece of a truthful portrayal of our collective multiracial history. Political events, legislation, court decisions, and cultural and social practices have intersected continuously to weave a uniquely Black experience into the American fabric that deserves exploration, recognition, and ultimately, admiration.

Part I: 1619 to 1860

1619: In 1619, the first Africans stood on the shore of North America after being forcibly removed from their homeland. With torture as the penalty, they were prohibited from communicating in their native tongues, practicing their traditional religions, and engaging in their own time-honored customs. Over the next 250 years, professed Christians were absorbed in international human trafficking, ripping nations and families apart, driven by a harsh profit motive.⁴ Colonial law gave no protection to slave unions. Husbands could be sold and separated from their wives or partners, and infants were snatched from mothers for the financial benefit of slave owners.

To justify this practice, distorted interpretations of biblical passages, pseudoscience, and American literature were used to reinforce the concept of racial superiority and inferiority governed solely by skin color. In 17th- and 18th-century America, one's race was codified by law, not by appearance (some African-Americans passed as "White") or any sound scientific principles based in either anthropology or biology.

Over time, racial enslavement sank its deep roots into everyday life, law, and culture. The concept of white supremacy made the continuation of enslavement possible, profitable, and thereby probable, and it was protected by an ever-increasing mountain of laws. Enslavers created "Slave Codes" and, later, "Black Codes," along with thousands of state and local regulations that exalted whiteness and white supremacy into a way of daily life.⁵

Throughout centuries of Black enslavement, states passed innumerable laws prohibiting African-Americans from reading or writing. Teaching enslaved Blacks, and in some places even free Blacks, how to read or write was punishable by fines and/or imprisonment. Severe physical punishments were meted out to African-Americans who demonstrated, or were even suspected of possessing, any ability to read or write. Possessing contraband materials, including newspapers, flyers, books, paper, writing utensils, could lead to government-sanctioned whippings and disfigurement for Blacks, and exorbitant fines, imprisonment, or bodily harm to Whites who contributed to Black literacy.

A ray of bright light was occasionally seen in colonial America. Some religious organizations in the New England states provided education to Black children. Despite strong opposition in the slaveholding regions, the Quakers established schools for African-American children in Virginia and other border colonies.

1740: The South Carolina Assembly enacted a "Bill for the better ordering and governing of Negroes and other slaves in this province," also known as the Negro Act of 1740. The law prohibited enslaved African people from learning to read, moving about freely, assembling in groups, and earning money. All anti-literacy laws were designed to control the behavior, movement, and economic freedom of African-Americans.

1740–1834: Alabama, Georgia, Louisiana, Mississippi, North and South Carolina, and Virginia passed anti-literacy statutes that outlawed teaching enslaved Blacks to read or write.

The states of Arkansas, Kentucky, and Tennessee were the only three slave states that did not have written laws prohibiting the education of Black enslaved individuals. It has been estimated that 5–10% of enslaved African-Americans were either partially literate or literate prior to the Civil War.⁶

1776: The colonists won their independence from Great Britain and embraced the Declaration of Independence claim that "all men are created equal." However, most of the writers and signers of the Declaration of Independence were enslavers who bought, sold, and denied freedom to Black men, women, and children through institutionalized hereditary slavery.

1787: At the Constitutional Convention, Northerners and Southerners debated whether slaves should be counted when computing the population of each state. The decision written into the U.S. Constitution asserted that each enslaved person would be calculated as three fifths (60%) of a human being for census purposes, which supplemented their state's representation in the U.S. Congress. Enslaved persons were not, of course, themselves permitted to vote. This "Three-Fifths Compromise" is recognized today as dehumanizing. Also written into the new Constitution were protections for the "property" of slaveholders (other human beings).

Also written into the Constitution was a guarantee of militia support, which was proffered to sooth Southerners' fears of slave revolts, which were common occurrences.

1791: Haitians gained independence from their colonial enslavers through revolution, which added to Southern fears of slave rebellion. Black literacy—which could help enslaved people organize, communicate, and advocate, and thus resist and rebel against servitude—became even more threatening to slaveholders.

1793: Congress passed the Fugitive Slave Act, which made it a federal crime to assist an enslaved person before, during, or after escaping enslavement. It potentially drafted every White male in the nation into the ranks of slave catchers. Any Black individual (free or recent escapees) became subject to being sold back into enslavement or into enslavement for the first time. In most states, Blacks could not testify against Whites nor in their own defense in a court of law.⁷

1799: Presbyterian minister and teacher John Chavis became the first African-American on record to attend an American college or university, attending what today is Washington and Lee University in Lexington, VA.

1800: An act of Congress was passed making it illegal for Americans to engage in the slave trade and gave U.S. authorities the right to seize slave ships that were caught transporting slaves and to confiscate their human cargo. The "Act Prohibiting the Importation of Slaves" took effect in 1808 and importing human beings for chattel slavery—but not the existence of slavery itself—was officially abolished in the United States.

1830: The Virginia General Assembly outlawed teaching African-Americans to read or write, whether their status was free or enslaved. Nonetheless, in spite of grave personal danger, close to 5% of Blacks in the state became literate. Note that, although it was legally permissible in the North to teach Blacks to read and write, many Northern states and cities prohibited Black students from attending public schools. Massachusetts was the only state with desegregated public schools prior to the commencement of the Civil War.

1831: Nat Turner's bloody revolt added to the fears of Southern Whites, who were the numerical racial minority by vast margins in many Southern counties. Increasingly repressive limitations on Blacks followed each rumored or real slave revolt. Literate and semi-literate Blacks, including Turner, were suspected of planning his lethal insurrection. To prevent all Blacks from passing notes with plans or puzzling messages to one another, both enslaved and free Blacks were prohibited from learning to read or write and from possessing books, paper, or writing instruments.

1833: The Georgia state legislature passed a law prohibiting Blacks from working in any job that required reading or writing.

1837: James McCune Smith became the first African-American to earn a medical degree, when he graduated from the University of Glasgow (Scotland).

1839: A songbook was published in Ithaca, NY, featuring a minstrel character, a demeaning caricature of a Black man, by the name of "Jim Crow." The term later became a racial slur used to insult African-Americans and a collective term for laws aimed at debasing Blacks.⁹

1844: The territory of Oregon enacted the "Oregon Black Exclusion Laws" that barred Blacks from entering, living in, or owning property within its borders; these laws continued to apply even after statehood in 1857, until they were invalidated by Amendment XIV to the U.S. Constitution after the Civil War. In 2017, the population of Oregon was only 2% Black.

1847: The state of Missouri prohibited any gathering intended to teach enslaved individuals to read or write.

1847: David J. Peck received an MD degree from Rush Medical College in Chicago, IL, becoming the first African-American to receive a medical degree in the United States. The Harvard Medical School accepted three Black students, but later rescinded their acceptance because of pressure from angry White students.¹⁰

1849: Black writer and printer Benjamin Roberts attempted to register his children in a nearby Boston public school but was rejected. While White students had several public schools from which they could choose, there was only one for Black children. In *Roberts v. City of Boston*, the Massachusetts Supreme Court ruled that segregated schools were permissible under the state's constitution. The U.S. Supreme Court later used this ruling to back the separate-but-equal doctrine in 1896.

1850: The Fugitive Slave Acts (of 1793 and 1850), and later the Black Codes, prohibited teaching Blacks to read. A common punishment for an enslaved person who learned how to read was "having his forefinger on the right hand" amputated, as well as other forms of human disfigurement. The justification was that slave insurrections were planned frequently by literate freedmen and literate or semi-literate enslaved individuals. To prevent such conspiracies, Alabama's Slave Codes also made it illegal for "free persons of color" to merely interact with "Negro slaves" without the written permission of a slave's legal owner.¹¹

1851: The Miner Normal School was founded and offered one of the earliest teacher training programs for Black educators. It became the leading provider of Black teachers for the segregated Washington, DC, public school system.

1851: An American physician, Samuel Cartwright, fabricated both a disease and a scientific name to describe the inclination of enslaved African-Americans to escape. *Drapetomania*, he claimed, was a form of acute mental illness that drove slaves to escape captivity. It was premised in the belief that only psychosis could cause a desire to escape the delightful advantages of enslavement.¹²

1852: Harriet Beecher Stowe published *Uncle Tom's Cabin*, an antislavery novel which became the best-selling novel of the 19th century. In her novel, the character Uncle Tom is the epitome of Black loyalty to White slave owners, which was admirable to members of the White community. However, in the Black community, "Uncle Tom" became a humiliating, derogatory term.

1855: Soon after receiving its statehood, the California State legislature passed a bill barring African-American, Asian (primarily Chinese), and Indigenous (Native American) children from attending public schools with White children. The opening of a segregated school for non-White students would only be considered if the parents of at least 10 students from minoritized groups petitioned a school district to construct the building for their children.¹³

1857: In the *Dred Scott v. Sanford* decision, the U.S. Supreme Court upheld the denial of citizenship to African-Americans and ruled that the descendants of slaves were "so far inferior that they have no rights which the [W]hite man was bound to respect".¹⁴

The U.S. Supreme Court further ruled that Blacks (even free Blacks) did not have constitutional rights in the United States. The ruling declared that Blacks were not and never could be U.S. citizens, and therefore the U.S. Constitution and civil rights granted to other Americans were not applicable to Black people, meaning that they had no legal standing to file suit in federal courts.

Part II - The Civil War to the *Brown* Decision (1860 to 1954)

1860: Until the Civil War began in 1860, “[W]hite slaveowners” dominated the U.S. presidency, the U.S. Supreme Court, and the U.S. Senate. Ten of the first 12 American presidents had enslaved other human beings. In a presidential election reflecting the intensifying conflict, and as the nation expanded between slaveholding states in the South and free states in the North, Abraham Lincoln of Illinois was elected as the representative of the new Republican, North-facing party.

Five states (Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont) permitted free African-Americans to vote in the presidential election without any restrictions. Following Lincoln’s election, seven Southern states (Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas) seceded from the Union.

1861: Arkansas, North Carolina, Tennessee, and Virginia seceded from the Union, joining the other Southern states in forming the Confederate States of America, and the Civil War began after Confederate troops attack Union forces in Fort Sumter, SC.

1863: President Abraham Lincoln issues the Emancipation Proclamation in the early stages of the Civil War to disrupt life in the South. The proclamation applied to slaves held in bondage inside the Confederate-held territories only.

1865: The Confederacy surrendered, ending the Civil War. Congress passed the Freedmen’s Bureau Act, which established schools for the newly freed African-Americans, including many that become *Historically Black Colleges and Universities* (HBCUs). Prior to the Civil War, approximately 40 African-Americans had graduated from Northern colleges or universities in the US.

Following the end of the Civil War, the U.S. government required the former slave-holding states to educate both White and Black children. State and local laws were amended to offer free public education to both Black and White children. In practice, those schools were strategically planned to meet the educational needs of White children far more than Black children. However, Black people’s thirst for education and knowledge was not to be deterred.

In December of 1865, Amendment XIII to the U.S. Constitution was ratified, abolishing slavery in the United States. Southern rebelliousness remained so obstinate that the state of Mississippi did not formally ratify Amendment XIII until February 7, 2013.

1866: The Civil Rights Act of 1866 was passed over the veto of President Andrew Johnson. This Act granted full citizenship and equal rights to all persons born in the United States (except Indigenous Native Americans).

Black Codes were passed in the former Confederate states. The regulations dictated where Blacks could live or work and controlled nearly all facets of an African-American’s life. Blacks were prohibited from serving on juries, owning weapons for hunting or self-defense, renting land, assembling for any purpose other than religious gatherings; and they were barred from drinking alcohol, traveling on public transportation, and, most importantly, learning how to read and/or write.

1860s: American colleges had established a firm policy of racial segregation. The American Missionary Association supported establishing colleges for Black students, many of which later became the best known HBCUs in the nation. All instruction was delivered by White teachers, and all courses were geared towards agriculture, domestic service, and the trades, rather than a broad academic offering.

1866: Fisk University was founded in Nashville, TN.

1867: Howard University was founded in Washington, DC.

1867: Morehouse College (previously the Augusta Institute) was founded in Atlanta, GA.

1867: St. Augustine’s College was founded in Raleigh, NC.

1868: Howard University established a medical department, becoming the first medical program for African-Americans.

1868: The Hampton Institute was founded in Hampton, VA (later becoming Hampton University).

1869: The Howard University law school became the first law school preparing Black lawyers in the nation.

By 1870, there were 22 HBCUs operating in the United States and enrolling African-American students.

Since their founding, HBCUs served as a primary vehicle for educating generations of African-Americans. Before the 1960s and 1970s, most four-year American colleges and universities in the North and South prohibited enrolling African-Americans. Prior to the 1960s, nearly all Black college graduates, educators, military officers, and doctors were HBCU graduates. These institutions provided graduate training for 75% of all Black Americans holding a doctoral degree today, and 75% of all Black officers in the Armed Forces graduated from HBCUs, as did 80% of all Black federal judges, according to the U.S. Department of Education.¹⁵ Until the desegregation of American colleges and universities in the mid-20th century, nearly all Black college students enrolled in an HBCU. African-American churches in the North and South regularly took up collections to support Black colleges in the South, and frequently helped to subsidize the salaries of Black college faculty members.

1867: Congress passed the Reconstruction Act, which clarified the status of Black Americans for the immediate future. Southern states were obligated to revise their state constitutions removing all racially discriminatory (anti-Black) language. With the Reconstruction Act in place, Black Americans were elected to state and federal offices in the period immediately following the close of the war. One of their most notable accomplishments was to establish state-funded public schools for all children. Black and White Republicans established the first system of taxpayer-funded free ("common") public schools in the nation, most of which were also racially segregated "in the best interest of all children." For Black children in many areas, learning to read and write was legal for the first time.¹⁶

1868: Amendment XIV to the U.S. Constitution was ratified by the U.S. Congress. It asserted that "all persons born or naturalized in the United States... are citizens," and that no state shall "deprive any citizen of life, liberty, or property without due process of law; nor deny any person... equal protection of the laws".¹⁷ This provided the basis for later litigation seeking equal rights for Black and other citizens to public education.

1870: Amendment XV to the U.S. Constitution was passed, declaring that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude".¹⁸ Together, Amendments XIII, XIV, and XV to the U.S. Constitution are known as the Reconstruction Amendments.

1870: The state of Virginia passed a law proclaiming that "[W]hite and colored persons shall not be taught in the same school but in separate schools." The following year, Virginia set the student-to-teacher ratio for Black schools at one "Negro teacher for every 232 school-aged children" as the state standard.

1871: Mississippi's Alcorn State University was established and became the nation's oldest *public* historically Black land-grant college. The university was the brainchild of Hiram Revels, the first African-American to serve in the U.S. Congress, and Mississippi Gov. James Alcorn (after whom the University was named).

1873: In an early challenge to the protections of the Reconstruction Amendments, the *Slaughter-House Cases*, the U.S. Supreme Court declared that the Privileges or Immunities Clause of Amendment XIV to the U.S. Constitution protected only the *federal* legal rights of individuals, but not rights connected to *state* citizenship. This decision was a victory for White resistance and made "States' Rights" a basis for white supremacist rule throughout the South for the next 100 years.

1874: A formerly enslaved Black man who passed for White, Patrick Francis Healy, became the president of Georgetown University, making him the first African-American in the country to serve at the helm of a predominantly White institution of higher education, although surreptitiously.

1875: The U.S. Congress passed the Civil Rights Act of 1875 (the Enforcement Act), prohibiting racial discrimination in public accommodations (restaurants, hotels, theaters, etc.) throughout the nation. However, public school systems were not included in the act at this juncture, since the concept of public schools was relatively new.

1876: In *United States v. Reese*, the U.S. Supreme Court declared that Amendment XV to the U.S. Constitution did not positively guarantee (Black) citizens the right to vote when it forbade denying that right because of "race... or previous condition of servitude."¹⁹ The court found that the 1870 Enforcement Act passed to support Amendment XV was overboard, and in discussing grounds that were not acceptable for denying voting rights to citizens, it indirectly provided instructions to Southern states on how to disenfranchise African-American citizens.

1876: Edward Bouchet became the first African-American to earn a PhD from an American university when he receives his doctorate degree in physics from Yale College. Two years earlier, Bouchet had graduated summa cum laude from Yale.

1877: In the presidential election of 1876, neither the republican nor the democratic candidate won a majority in the Electoral College. There was a protracted dispute, at the end of which the Republican, Rutherford B. Hayes, was declared the winner while it was agreed that the remainder of the federal troops installed in the South to enforce Reconstruction would be removed, in what has been named the Compromise of 1877. This consolidated Democratic Party control over the region. It also ushered in a wave of White mobs intent on reversing most civil rights of Blacks and put an end to Black education. Black schools were often targets of White mobs. Following the removal of Union troops by Hayes, four million African-Americans fell victim to various forms of quasi-enslavement reminiscent of the antebellum era.²⁰

1881: The Normal School for Colored Teachers (also known as the Tuskegee Normal and Industrial Institute) was founded in Tuskegee, AL, under the direction of Booker T. Washington. It soon became the most prominent vocational school for African-American men and women and a leading institution for Black higher education.

1883: In the Civil Rights Cases of 1883, the Civil Rights Act of 1875's measures prohibiting discrimination in public accommodations were tested against Amendment XIV's Equal Protection Clause. The Supreme Court found that Amendments XIII and XIV did not authorize the Civil Rights Act of 1875 and it was ruled unconstitutional; although states could not discriminate on the basis of race, private establishments could do so. Racial discrimination received a "green light" for national application.

1890: To ensure the disenfranchisement of Black voters, the Mississippi state legislature passed a bill requiring “literacy tests” that one must pass in order cast a ballot. Few Blacks passed the voting tests, and those who did risked their lives if they attempted to vote. Over the next two decades, similar laws were passed throughout the South.

1893: The world’s first successful open-heart surgery was performed by Daniel Hale Williams, an African-American graduate of Chicago Medical College (the Northwestern University Medical School today).

1896: An 1890 Louisiana law required passenger train officers to “assign each passenger to the coach or compartment used for the race to which such passenger belongs”²¹. It required railroad companies were legally obligated to provide separate-but-equal facilities to Black and White passengers. In the landmark *Plessy v. Ferguson* decision six years later, the U.S. Supreme Court upheld the constitutionality of discriminatory state laws requiring racial segregation in public facilities if the facilities were equal in quality.²²

In its application, separate was seldom if ever equal. The accommodations, services and facilities designated for Blacks were invariably of inferior quality to those reserved for Whites. This was true in education as in other domains. African-American education invariably received less public funding, took place in dilapidated facilities with poor or no plumbing, no heating or electricity, used obsolete instructional materials, and paid lower teaching salaries.

1899: In the *Cumming v. the Richmond (GA) County Board of Education* decision, the U.S. Supreme Court ruled that a state can levy taxes on both Black and White citizens but restrict those revenues to financing the public education of White children only, with no school provided for Black students.

1900: At the turn of the century, 90% of all African-Americans lived in the former Confederacy where 60% of the men worked on farms, mostly as sharecroppers, perennially in debt. Black women were mostly employed in domestic work (housekeepers, cooks, laundresses, and care-providers for White children). Only 2% of Black citizens held professional jobs as teachers, doctors, or ministers, and these were within the boundaries of the Black community.

1901: North Carolina Gov. Charles Aycock enacts a “grandfather” clause requiring that one’s grandfather had to have been eligible to vote for any new registrants to do so, thereby disqualifying all descendants of slaves. Aycock—who allocated three times as much money for White schools as Black schools—was also known as North Carolina’s “greatest education governor.”

1903: The National Association of Negro Teachers was founded and served as the African-American counterpart to the Whites-only National Education Association. There were several professional organizations for Black educators (“Colored Teachers Associations” or “CTAs”) throughout the country. In 1907, the organization changed its name to the National Association of Teachers in Colored Schools, and in 1937 to the American Teachers Association.

1903: The book *The Negro Problem: A Series of Articles by Representative American Negroes of Today* (with contributions from Booker T. Washington, W. E. B. Du Bois, Paul Laurence Dunbar, and others) was published.

1906: Alain Locke, a student at Harvard University, became the first African-American to receive a Rhodes Scholarship. Later, Locke was better known as the philosophical “Dean of the Harlem Renaissance.” As a college student, he was honored as a member of the Phi Beta Kappa Society. Later, Locke returned to Harvard University as chair of the department of philosophy. However, in 1925, after Locke had promoted the idea of equal pay for White and Black faculty members, he was terminated.

1908: Jack Johnson became the first Black person to hold the World Heavyweight Boxing title, disproving the treasured-but-fictitious notion of white superiority. His victories were regularly followed by White riots that targeted Black communities and Black individuals. Those were the most deadly and destructive riots in America until the Black urban riots following the assassination of Dr. Martin Luther King in 1968. Johnson’s romantic relationships with White women further infuriated many White Americans. His victories were celebrated by Black Americans, although sometimes only secretly, for safety.

1909: *The National Association for the Advancement of Colored People* (NAACP) was founded with its original name, the National Negro Committee. Moorfield Storey, a past president of the American Bar Association and an expert in constitutional law, was selected as the organization’s first president. The multiracial group included such notable individuals as Ida B. Wells and W. E. B. Du Bois.

1910: The 1910 Flexner Report called for reducing the number of medical colleges in the US, which decreased college accessibility for prospective Black doctors from 11 schools in 1906 to just two such schools by 1944.

1913: President Woodrow Wilson, a Southern Democrat, segregated all branches of the federal government. Black Americans in government jobs or public office were removed or demoted. Two years later, Wilson hosted a private screening in the White House of *The Birth of a Nation*, a film based on the novel *The Clansman* that glorified the Ku Klux Klan and denigrated African-Americans.²³

1916—1945: The Great Migration accelerated with many Blacks leaving the South, where they were mostly agricultural workers on land controlled by Whites and felt the constrictions of legal racism, for the North, where they took jobs in the booming factories and urban enterprises. Over the next several decades, approximately six million Black citizens made this move. In their new homes they still faced racism and social segregation, but less overt discrimination and physical danger.²⁴

1917: The Bureau of Education (an agency of the Department of the Interior at the time) issued a two-volume report, *Negro Education: A Study of the Private and Higher Schools for Colored People in the United States*.²⁵ The report argued for vocational-only (non-academic) educational programs for African-Americans and criticized the advocates of scholarly institutions of higher education for Blacks. The report included photographs depicting Blacks laying bricks, milking cows, cooking food, harvesting crops, sewing clothes, caring for animals, plowing fields, tending gardens, etc., all reminiscent of the roles of African-Americans during enslavement.

Schools for Black children were frequently built with funds from Northern churches, institutions, and foundations. The Rosenwald Fund was one of these. A partnership between Booker T. Washington and Julius Rosenwald, a German-Jewish businessman with a sizable financial interest in the Sears & Roebuck retail stores, led to the creation of nearly 5,000 (one-room) rural schools for Black children in the South—between 1912 and 1932—with a \$4 million donation. The Rosenwald schools boast alumni including Medgar Evers, Maya Angelou, members of the Little Rock Nine, and Congressman John Lewis.²⁶ The fund also supported the NAACP and the National Urban League, organizations that advocated (and sometimes litigated) for Black education.

1921: U.S. Secretary of Commerce Herbert Hoover (later a U.S. president) convened an Advisory Committee on Residential Zoning, which created a federal committee designed to enforce residential segregation by persuading local boards to pass rules preventing lower-income (Black) families from moving into middle-income (White) neighborhoods. These racially segregated neighborhoods produced racially segregated schools. The Federal Home Loan Bank Board and the Home Owners' Loan Corporation created local maps that marked areas considered “risky” for mortgages. The practice became known as “redlining,” because areas that fell inside the red lines were deemed “hazardous” neighborhoods, which were composed primarily of Black residents. Black families were denied home loans because eligibility for federally backed home loans was determined by the redlined maps drawn by the Home Owners' Loan Corporation.²⁷ Deed restrictions prohibited Blacks from purchasing properties in White neighborhoods reinforcing residential segregation. By isolating communities of Blacks in “risky” neighborhoods, their equity seldom grew as fast as equity did in White suburban neighborhoods, thus restricting wealth accumulation for Black households.²⁸

1926: Charles Drew graduated from Amherst College; after medical training at McGill University in Canada and at Howard and Columbia Universities, he improved procedures for storing and transfusing blood plasma which saved millions of lives during World War II and beyond. Ironically, in 1950, while in route to a conference at Tuskegee University in Alabama, Drew was part of an auto accident in rural North Carolina and died from blood loss at the segregated hospital to which he was taken.²⁹

1927: In the *Gong Lum v. Rice* decision, the U.S. Supreme Court ruled that each state has the right to designate Chinese individuals as “non-[W]hite” for the purpose of school admissions. Notably, the decision to reject a student’s admission to a public school because of Chinese ancestry did not violate Amendment XIV of the U.S. Constitution. The ruling sanctioned excluding any student of color from a school reserved for Whites.³⁰

1932: *The Journal of Negro Education*, a scholarly periodical created to investigate problems experienced by African-Americans in education, began publication at Howard University.

1933: President Franklin D. Roosevelt implemented the New Deal, which lasted until 1938 and offered numerous programs, projects, and financial reforms for Americans during the Great Depression. Because of the program’s benefits to Black Americans, a growing number of Blacks shifted their loyalty away from the Republican Party and aligned themselves with the Democrats.

1936: Acknowledging the dangers and hostilities encountered by African-Americans “traveling while Black,” Victor Green began publishing the *Green Book* to identify establishments (hotels, restaurants, etc.) that accepted African-American patrons, thus increasing their safety while traveling. At the time, there were a growing number of all-White “sundown towns” and cities throughout the North and South that outlawed the mere presence of Blacks after dusk unless said persons were working, or on their way to work, leaving work in White communities. These cities and towns also went by the name of “Sunset towns,” “Gray towns,” and “Sundowner towns”.³²

1938: In *Missouri ex rel. Gaines v. Canada*, the U.S. Supreme Court ruled that a state providing a law school for White students cannot fulfill its obligation, as established in *Plessy v. Ferguson*, to grant separate-but-equal educational opportunities for Black and White students by paying for Black students’ training in another state. Such practices were deemed a violation of Amendment XIV and did not fulfill the state’s obligation to grant separate-but-equal educational experiences. Lloyd Gaines had been refused admission to the University of Missouri Law school based solely on his race. The court stated that the state of Missouri must admit him to the all-White law school as it did not provide a separate-but-equal facility. Unfortunately, the following year, Gaines left home to purchase stamps, but was never seen again. In 1940, his case, remanded to the state court, was dismissed due to the absence of a plaintiff. This case, argued by the NAACP, ended in the first major breach weakening the *Plessy* rule and is a forerunner of *Brown v. Board*.

1940: In *Alston v. School Board of the City of Norfolk*, a federal appeals court required that Black and White teachers receive the same salary for equal work.

1940: Under the guidance of Thurgood Marshall, the NAACP's Legal Defense Fund became a separate entity from the NAACP. It went on to pursue legal issues of equality, justice, and school desegregation. In 1957, it became totally independent from the NAACP.

1941: President Roosevelt issued Executive Order 8802, the first anti-discrimination order at the federal level, and established the Fair Employment Practices Committee.

1944: In *Korematsu v. United States*, the U.S. Supreme Court upheld the internment of Japanese Americans during World War II under an executive order premised on protection of national security. Although the US was simultaneously at war with Italy and Germany, no detention camps were constructed for Italian Americans or Americans of German extraction.³³

1944: In January 1944, in response to pressure from Black civil rights groups, the U.S. Navy reluctantly agreed to offer an officer training course for African-American enlisted men at Camp Robert Smalls in Illinois. To ensure the failure of the 16 African-Americans who were selected, the customary 16-week program was cut in half for the Black cadets. Not only did the entire group of 16 pass the test with impressive marks, but their scores were the highest average of any class in Navy history. After being forced into "re-testing," because of their incredible success rate, all 16 passed a second time earning an average score of 3.89 on a 4.00 scale. Previously, no class of cadets had ever achieved a 100% pass rate, so the Navy only allowed 13 of them to move forward into the officer's rank. The outstanding scholarship of the "Golden Thirteen" encouraged President Truman to fully desegregate the U.S. military four years later.³⁴

1944: The United Negro College Fund was founded with the legendary slogan, "A mind is a terrible thing to waste." The fund supported HBCUs, which were institutions constituting the most effective pathway in the U.S. for African-American achievement in higher education.

1947: Jackie Robinson became the first African-American to play major league baseball since 1885, when the game was officially segregated along with most other sports.³⁵

1947: In the *Westminster School Dist. v. Mendez* decision, a federal appeals court strikes down the policy of segregating schools for Mexican Americans.³⁶ The verdict encouraged California Governor Earl Warren to repeal a state law calling for racial segregation in all California schools. This ruling was a precursor to the *Brown v. Board of Education* case, where Earl Warren was the Chief Justice of the U.S. Supreme Court.

1948: As the tide towards desegregation continued to shift in the direction of equality, President Harry Truman signed an executive order mandating the integration of all U.S. Armed Forces where African-Americans served. Earlier, Blacks had been restricted to roles supporting White servicemen.³⁷

1948: In the case of *Shelley v. Kraemer*, the U.S. Supreme Court ruled that racial covenants in real estate deeds were unenforceable in a court of law. The Supreme Court declared that a Black family had every right to move into their newly purchased home in an all-White St. Louis neighborhood. Their new home had a restrictive covenant dating back to 1911 prohibiting the ownership or use of the property by "any person not of the Caucasian race". Residential segregation typically preceded and reinforced educational segregation.

1948: In the case of *Sipuel v. Board of Regents of the University of Oklahoma*, the U.S. Supreme Court ordered the admission of a Black student to the all-White University of Oklahoma School of Law, since the state did not offer a law school for Blacks. The Court ruled in favor of African-American student Ada Lois Sipuel, forcing the Oklahoma State Board of Regents to create a new law school for Black law students. Unfortunately, that school was initially located in the basement of the state capital building.

1948: The National Association of Intercollegiate Basketball became the first national sports organization to open its intercollegiate postseason competitions to Black student-athletes and their colleges.

1948: Recognizing the "alarming trend" towards educational and social equality for Black Americans, Southern Democrats recast themselves as the "Dixiecrats," a group whose primary mission was to oppose all manner of desegregation. The Dixiecrats nominated arch-segregationist South Carolina Governor Strom Thurmond as their candidate for U.S. president. Over a half-century later, it was confirmed that Thurmond had fathered a biracial child in 1925 with Carrie Butler, a teenage Black housekeeper. At the time, Butler was only 16 and Thurmond was a 22-year-old man. Their daughter, Essie Mae Washington-Williams revealed Thurmond's paternity in 2002. Per an agreement, she kept her father's identity secret until six months after his death in June of 2003. Over the decades, Thurmond secretly visited and financially supported his out-of-wedlock daughter. While Southern politicians often based their political careers on their strong opposition to "race mixing," interracial relationships (White men and Black women) were common beginning from the earliest days of Black enslavement.

1950: African-American Congressman Adam Clayton Powell, Jr., from New York introduced what later became known as the "Powell Amendment," which prohibited federal funds for any project in which racial discrimination was present.

1950: In the case of *Sweatt v. Painter*, the U.S. Supreme Court ruled that the racially separate School of Law at the University of Texas was unequal to the law school offered to Black students at Prairie View A&M University. The law school refused admission to Herman Sweatt on the grounds that the state constitution outlawed integrated education at all educational levels. He filed a lawsuit against University President Theophilus Painter. That same year, a companion decision was reached in the case of *McLaurin v. Oklahoma State Regents*, where the court ruled that a Black student admitted to a White graduate school must be treated in the same manner as all other graduate students in order to develop his/her professional skills, which could only be accomplished through an integrated graduate school experience.

1951: The case of *Brown v. Board of Education of Topeka* was filed, first in the U.S. District Court of Kansas challenging the practice of racial segregation in the Topeka public school system.

1952: In the *Briggs v. Elliott* case, the constitutionality of racially segregated schools was challenged. A U.S. District Court denied the petitioner's claim that Black children are psychologically harmed by racial segregation. This proved not to be true with the groundbreaking research of the husband-and-wife team of Black psychologists, Dr. Kenneth B. Clark and Mamie Clark. (In 1946, the Clarks founded the Northside Center for Child Development, the first full-time child guidance center offering psychological and casework social services to families in Harlem.) In the Clarks' experiments, Black and White children were presented with two Black dolls and two White dolls. The children were asked to distinguish which doll looks like them and which doll was "good" or "bad." Their studies revealed that the Black children consistently preferred the White dolls, identifying them as "nice," while insisting that the Black dolls were "bad." Most Black children identified themselves with the White doll. Their research on "self-identification in Black children," by examining the psychological effects of segregation on Black children, was paramount later in the case of *Brown v. Board of Education of Topeka*.

The *Briggs v. Elliott* case was among the five cases that were combined into the *Brown v. Board of Education* legal test. (Plaintiffs Harry and Eliza Briggs, Rev. Joseph DeLaine, and Levi Pearson were awarded the Congressional Gold Medal posthumously in 2003.)

1953: Following the death of Supreme Court Justice Fred Vinson, the former governor of California, Earl Warren, was appointed Chief Justice of the U.S. Supreme Court in a recess appointment by President Dwight Eisenhower.

1953: The Supreme Court heard the second round of arguments in the case of *Brown v. Board of Education of Topeka, KS*.

1953: The U.S. Supreme Court upheld an 1873 law that prohibits segregation in Washington, DC, restaurants.

1954: The U.S. Secretary of Defense ordered the desegregation of all U.S. military post schools throughout the US and overseas.

Brown v. The Board of Education of Topeka, KS

To understand the *Brown v. Board of Education* case, it is important to understand the context for Black education in the years before *Brown*. Throughout the United States, it was not uncommon to encounter signs indicating where, when, and if a Black individual could legally sit, walk, talk, eat, drink, work, live, rest, ride, play, sleep, inter, exist after dark, or learn. Similarly, education for Blacks was both segregated by law (*de jure*) and by custom (*de facto*). *De jure* segregation mandated the distinct separation of Blacks and Whites in nearly all walks of life including education in the South. Its origins were principally in the antebellum Black Codes, and later, the Jim Crow laws, that were enacted following the Civil War. *De jure* segregation was later outlawed by the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968.

Segregated schools always reflected a visible white advantage. Public schools for White students were better-resourced, with more and better educated teachers who were also better paid, better facilities—typically heated school buildings with windows, indoor toilets, water fountains, gymnasiums, auditoriums, and libraries—and newer textbooks. For example, in 1930, Alabama spent \$37 on each White child and just \$7 on the education of each Black child. In Georgia, the ratio was \$32 to \$7. In Mississippi, the ratio was \$31 to \$6. In South Carolina, the disparity fell to \$53 to \$5 (a 10-to-1 ratio.)²⁵ In Clarendon, SC, Black children made up 87% of the school district enrollment but were only allotted one third of the school district's budget for their operation. Two thirds of district funds went to White students who made up only 13% of the entire Clarendon district enrollment.

By contrast, Black schools were often overcrowded, with fewer teachers who often had to cover multiple grade levels in a single overcrowded classroom, and lacked amenities such as heat, windows in the window frames, indoor plumbing, textbooks, and even desks. Rural Black schools were in session for far fewer days per year, in part to allow for students to work in the fields, and teachers were less well-paid and had less education. The curriculum was often limited to routine skills in reading and math and lacked access to broader subject matter and to philosophical and historical texts. The author-historian, Dr. Carter G. Woodson noted that some White school leaders would not permit Black students to use books whose content included the Declaration of Independence or the U.S. Constitution fearing that such documents would confirm to Black learners that they were being denied the rights that were due all U.S. citizens regardless of color. Black schools often stopped at fourth grade.³⁸

1951: In the initial phases of the *Brown v. Board of Education* case, the U.S. District Court of Kansas ruled that there was no significant discrimination in the Topeka, KS, school system. However, the judge conceded that the practice of racial segregation in school was largely detrimental to Black children.

The state of Kansas required that cities with populations above 15,000 must maintain separate school facilities for Black and White students but in the elementary grades only. Junior and senior high schools could be integrated, although all after-school extracurricular activities (school clubs, sports, etc.) were required to be segregated. Neighborhoods in Topeka were mostly integrated. Black elementary-aged students attended one of the city's four segregated all-Black schools, while White students attended one of the 18 all-White elementary schools.

1952: In the *Davis v. County School Board of Prince Edward County* (VA), a U.S. District Court upheld the doctrine of separate but equal in public schools.

1952: In the *Belton v. Gebbert* and the *Bulaj v. Gebbert* decisions, the Delaware Court of Chancery, DE, ruled that the local White high school in Claymont, DE, and the Black high school in nearby Wilmington, DE, were by no means equal, and that Clayton High School must begin admitting Black students (the plaintiffs).

1954: Referred to by many African-Americans as the "Second Emancipation Proclamation," the *Brown* decision was one part of a collection of five consolidated lawsuits that began in 1952, involving over 200 students from different states. They were filed against Delaware, South Carolina, Virginia, Washington, DC, and the city and state of Topeka, KS. Oliver Brown filed a lawsuit against the Board of Education of Topeka, KS, after his children were denied enrollment into a nearby all-White school that was considerably closer to his home than a segregated Black school.

The NAACP's Legal Defense Fund, under the leadership of Thurgood Marshall, the chief counsel for the NAACP, presented the oral arguments in the *Brown v. Board of Education* proceedings. Unfortunately, Marshall's colleague, Charles Hamilton Houston, passed away before the *Brown v. Board* case was unanimously (9-0) decided. Chief Justice Earl Warren's decision ended by saying, "... we unanimously hold that separate but equal has no place in the Constitution." While his words outraged White segregationists, they energized the hopes of Black people.²⁶

While the earlier cases involving racial segregation had routinely focused on legal and constitutional principles, in the 1954 *Brown* decision, for the first time social-psychological research played a decisive role in challenging the premise of separate but equal.

Scores of carefully crafted legal positions had previously been argued in segregation lawsuits. However, presenting evidence that racial segregation produced a sense of inferiority in Black children causing irreparable psychological damage—as found in research studies conducted by the Clarks described earlier—was unique, compelling, and effective. The Clarks were called as expert witnesses in the *Brown* case and testified that racial segregation damaged the psychological development of Black children causing them to internalize White racism. It resulted in a unanimous decision by the U.S. Supreme Court in favor of the Black plaintiffs, overturning 60 years of the *Plessy v. Ferguson* separate but equal doctrine.

In the *Brown* decision, the Supreme Court declared that separate schools are indeed “inherently unequal”.³⁹ Finally, after almost 340 years, the moral conscience of America appeared to have awakened.

The historic *Brown* decision marked a key turning point in the legal and social battle against legalized racial segregation that had, for decades, undermined Black progress socially, economically, politically, and educationally. The decision created a pathway for subsequent Civil Rights victories, chipping away at institutionalized racism in the United States, but not suddenly dismantling it completely. Later that year, the U.S. Supreme Court ordered the University of Florida to enroll its first Black students, and Baltimore City Schools began plans for school desegregation.

1954: The U.S. Supreme Court ruled that the federal government must operate under the same obligation as the states and ordered the desegregation of the Washington, DC, public schools.

1954: Opposition to desegregation was widespread throughout the South. Successful desegregation efforts varied (a) among the states, (b) between counties within a state, (c) between adjacent counties, and (d) between neighboring communities and school districts. Between 1955 and 1960 federal judges in the South held more than 200 hearings concerning school desegregation.⁴⁰

Among the responses were the following:

- Southern governors agreed to plan massive white resistance to fight the “judicial overreach” of the U.S. Supreme Court’s *Brown v. Board of Education* decision, a “tyrannical exercise of federal power.” Louisiana state legislators vote to maintain segregated public schools at all grade levels.
- The state Board of Education in Alabama voted to segregate all public schools in their “massive resistance” plan.
- Eleven Black students enrolled in Delaware’s all-White Milford High School. Whites convene a large meeting, and a petition circulated and signed the calls for the expulsion of all 11 Black students known as the “Milford Eleven.” Not only were the Black students barred from the high school, but Milford High School was also closed.
- While some Southern school districts refused to integrate their schools, others closed their schools entirely. Gov. Stanley of Virginia declared that he will use every legal means available to maintain racially segregated schools. His state enacts the “Stanley Plan” to cut state funding to any school that decided to follow the law of the land and integrate its schools. Stanley’s plan also permitted White parents to enroll their children in segregated private schools with the promise of financial help through state-funded tuition grants.

- Some Southern school districts crafted “freedom-of-choice” programs that were covertly designed to maintain racially segregated schools. In theory, the strategy would allow students and parents to “choose” which school they would attend. In practice, students were routed to racially homogenous (racially segregated) schools.
- “White Citizen’s Councils” and other white supremacist groups organized throughout the South to fight school integration, at one time boasting over 250,000 members. They attacked African-American organizations and individuals politically, economically, and physically to block school desegregation. While the group claimed to shun violence, although their rhetoric suggested otherwise. Violence was undoubtedly their preferred “go to” weapon. In a poll, 25% of White Southerners said that they supported the use of violence to prevent school integration.
- President Dwight Eisenhower initially opposed intervening in the South to enforce the *Brown* decision. However, after increased pressure from Civil Rights groups and as a response to the persistent white riots, violence, and intimidation, Eisenhower shifted his stance. Moreover, White racism had become an immense international embarrassment to America’s goal of “spreading democracy” around the world.

1955: The U.S. Supreme Court issued its follow-up desegregation decision, referred to as “*Brown II*,” in which it declared that school integration must proceed with “all deliberate speed.” Not only was this timeline vague, but there were no prescribed penalties for not meeting this rather fuzzy deadline date. (The mandate had neither a start date nor recommended criteria to determine that the goal of integration had been met.) The lack of specificity and no announced mechanism for federal enforcement enabled prolonged white resistance. President Dwight Eisenhower acknowledged that Whites would not embrace the Supreme Court decision and stated, “I don’t believe you can change the hearts of men with laws or decisions”.⁴¹ Integrating Southern schools would entail more than removing “Whites only” signs. Full implementation of the letter and the spirit of the *Brown* decision where an equal, and not separate, education would be provided for all American children on a nondiscriminatory basis, was not forthcoming.

The Supreme Court had addressed de jure segregation (established and enforced by law), however, it did not dismantle de facto segregation caused by our prolonged history of institutionalized race-based social, political, and economic structures.

Although Black opposition to school desegregation was minimal, one detrimental outcome of *Brown* was the sudden dismissal of Black teachers and principals throughout the South. (See Ladson-Billings, this series.) White teachers refused to accept assignments in dilapidated predominantly Black schools, and the newly integrated schools in White areas initially refused to hire Black classroom practitioners. The long-term effects are reflected in contemporary national statistics for Black educators. (See Bristol & Carver-Thomas, this series.)

The *Brown* decision not only changed American history by shifting the political tide towards Black equality, it opened the door to the “tumultuous 60s” for the Civil Rights Movement, the struggle for women’s equality, the United Farm Workers movement, and the African-American studies movement. Soon to follow were Hispanic rights and gay rights. It was not only the most pivotal event in modern Black history, but it also changed the course of American history.

Part III - 1955 to the Present

1955: A Black woman, Rosa Parks, is arrested by police for refusing to give up her bus seat to a White male passenger in Montgomery, AL. The event ignited the Civil Rights Movement for racial equality in America, which moved quickly beyond the schools. The Rev. Dr. Martin Luther King, Jr., joined Rosa Parks and others in the subsequent Montgomery Bus Boycott of the city's segregated bus system.

1956: Opposition to school desegregation accelerated with Virginia Sen. Harry Byrd as a chief cheerleader for white resistance to integrated schools. His efforts led to the closing of four major school districts in Virginia (Charlotte, Norfolk, Prince Edward County, and Richmond) the following year. White politicians and school officials created White-only private schools and academies, where White families would receive state-funded tuition grants and county tax credits as an incentive to return to segregated schools.

Few schools were made available to Black students who were forced to enroll in schools in nearby counties or schools conducted in the basements of local Black churches. With their formal education interrupted for five consecutive school years, thousands of Black students were academically incapable of completing their formal education even when (the now-integrated) schools resumed classes. Many of the largest public school systems in the South remained shuttered between the years of 1959 and 1964 until the U.S. Supreme Court ruled that re-directing public funds to pay for tuition in segregated private White schools was unconstitutional—a violation of the Equal Protection Clause of the U.S. Constitution.

1956: The Mississippi legislature passed a bill outlawing most Black civil rights groups, with the goal of counteracting the school desegregation success and activities of the NAACP and other similar organizations intent on carrying out the promise of *Brown v. Board*.

1956: Under a court order, the first African-American student (Aatherine Lucy) enrolled in the University of Alabama. Her admission led to riots by White students and locals. Lucy was suspended, supposedly for criticizing the University. The NAACP pressured the university into dropping the suspension, so she was expelled from the university instead, but “for her own safety.”

1956: The state of Virginia altered the state constitution to permit state funds to be directed to segregated all-White private schools and segregation academies, thereby avoiding school integration. Although Black students were technically (on paper) allowed to utilize state funds to attend the newly formed White academies, the “all-White” restriction prevented them from doing so in reality.

1956: More than 100 Southern congressional members signed the “Southern Manifesto,” detailing their plan to resist the 1954 *Brown* decision that outlawed racial segregation in public education. The retaliatory measures of the manifesto included defunding integrated schools or schools with a future plan to do so.

1956: In support of the Southern resistance movement, the state legislature of Georgia signed a law that became effective July 1 to incorporate an image of the Confederate flag into the Georgia state flag. Several other Southern states followed suit, while others flew the Confederate flag along with the state flags at their state capitols. The Confederate flag became the symbol of white resistance and was flown or displayed as Southern defiance at most state, university, and school events throughout the South.

1956: To undermine the positive impact that the NAACP was having on school desegregation in South Carolina, state legislators prohibit any state employee from becoming a member of any civil rights organization or affiliating with such organizations especially the NAACP. The state of Alabama banned the NAACP throughout the entire state, not just barring state employees from the organization.

1956: Septima Clark organized students at the Avery Normal Institute in Charleston, SC, in a successful protest of a citywide ordinance mandating that only White teachers can teach in the city's segregated or integrated public schools. Clark was fired because of her affiliation with the NAACP. Subsequently, she became a co-founder of the Citizenship Schools, which helped empower local communities in the South to improve Black literacy.

1957: Arkansas Governor Orval Faubus sent the state National Guardsmen to prevent nine Black students (“the Little Rock Nine”) from desegregating the all-White Central High School where they had hoped to enroll. After the governor refused to integrate the high school, President Eisenhower ordered federal troops to Little Rock to forcefully integrate the high school. While 1,000 U.S. Army troops from the 101st Airborne Division (recognized for its unparalleled air assault capability in combat situations) escorted the Black students both to and from the high school, they faced constant physical attacks, intimidation, and violence from White students and parents who threatened to kill the nine Black students. Little Rock’s (White) citizens voted against integrating the city’s public schools, and Gov. Faubus ordered all Little Rock public high schools to be closed for the remainder of the school year. In an effort to circumvent integrating the city’s schools, Faubus, subsequently ordered all Little Rock schools closed for the entirety of the following school year, 1958–59.⁴²

1957: White citizens protesting the admission of a Black student at the Hattie Cotton Elementary school in Nashville, TN, bombed the school building.

1957: In the *Cooper v. Aaron* decision, the U.S. Supreme Court overturned a U.S. District Court decision that exempted state governments from complying with the *Brown* decision if there was a “fear of social unrest or violence.” In response to numerous White riots that occurred during desegregation, some Southern states and local school districts postponed school integration with permission from the local courts. They claimed that what appeared to be their staunch opposition to school integration was, in reality, merely their sincere concern for the safety of the Black students. The Supreme Court also rules that public funds could not be diverted to segregated private schools as a means of sidestepping court-ordered school desegregation.

1959: Following two court orders to integrate their public schools, Prince Edward County (VA) school officials chose instead to close all of their public schools rather than to integrate them. With no schools to attend, many Black students did not return to formal schooling until 1963, when the Ford Foundation granted funds for Black schools.

1959: Georgia Gov. S. Ernest Vandiver, Jr., threatened to withhold state funding from any school district that attempted to integrate its schools.

1960: White mobs descended on six-year-old Ruby Nell Bridges who becomes the first Black student to attend the William Frantz Elementary School in New Orleans, LA, after a federal court orders the New Orleans school system to desegregate its schools. Bridges, a first grader, had to be escorted by federal marshals into the school building for her own protection from vicious White protesters spitting and shouting venomous obscenities at her. One White mother threatened to poison Bridges on her second day of school, while another presented Bridges with the Black doll in a wooden coffin. For the entire school year, Bridges and her teacher remained the only two people in her classroom, as Whites had withdrawn from the school. Bridges’s father was fired from his job, and her sharecropper grandparents were evicted from their Mississippi farm in retaliation for Ruby attending a White school.

1960: *The Mankind Quarterly* was founded, as a journal whose purpose is to militate against school integration in the US by publishing “scholarly” articles “proving” and supporting White supremacy. It was grounded largely in scientific racism. With funding from well-known segregationists, the journal’s authors, contributors, publishers, and its board of directors espoused segregationist theories to rationalize racial segregation including theories of “hereditarianism.” The publication was quoted widely by Southern politicians, white supremacists, and segregationists for the scientific evidence of white superiority and the “proof” of Black inferiority. This kind of publication was not new. To justify the slave trade in the 17th and 18th centuries, “Hierarchies of Race” charts were produced and disseminated by Europeans and Americans with the White race at the zenith and the Black race at the base.²⁹

1960: Four African-American students from the North Carolina Agricultural & Technical College staged a “sit-in” at the lunch counter of an F.W. Woolworth store in Greensboro, NC. This action spurred a series of similar sit-ins throughout the South in favor of social integration.

1961: Two African-American students (Hamilton Holmes and Charlene Hunter) attempted to integrate the University of Georgia. They were denied admission based on a fictitious claim that the university was currently “overcrowded.” Once they were admitted, riots by Whites lead to the suspension of both students until a court forced their return.

1961: African-American Congressman Adam Clayton Powell, Jr., became chairman of the House Education and Labor Committee, one of the most prestigious and powerful committees in the U.S. Congress.

1961: Hobart Taylor, a Black Texas attorney, coined the term “affirmative action,” which played a dominant role in the desegregation lexicon over the next five decades, not limited to the education arena.

1962: After two rejections, James Meredith, a Black veteran of the U.S. Air Force, officially enrolled in the all-White University of Mississippi. The U.S. Court of Appeals for the Fifth Circuit had ordered the university to admit Meredith after the convincing arguments from the NAACP. Upon Meredith’s arrival, a White mob of more than 2,000 students and local White hoodlums engaged in a deadly and destructive riot. President John F. Kennedy ordered the Mississippi National Guard and U.S. Army troops to the campus to restore order. Meredith was escorted onto campus by U.S. marshals. While he was a student at Ole Miss, Meredith received 24/7 marshal protection before graduating in 1963.⁴⁴

1962: Joseph Stanly Sanders, a political science major at Whittier College become the second African-American in history to receive a Rhodes Scholarship.

1963: For the first time in history, a small number of Black students in Alabama Louisiana, and Mississippi attended integrated public elementary and secondary schools with White students.

1963: In his inaugural address, Alabama’s new Gov. George Wallace declared, “Segregation now! Segregation tomorrow! Segregation forever!” Despite Gov. Wallace physically blocking their entrance, African-American students Vivian Malone and James Hood enroll in classes at the University of Alabama.

1963: Over 1,000 black children protested racial segregation in Birmingham, AL, schools in a “Children’s Crusade.” The students marched from a local Black church to the city’s downtown area, but they were attacked by White mobs, local police, firemen, and White political leaders. The White mob’s violence was broadcast on national and international TV resulting in a massive public outcry (well beyond the South) over a near-lethal attack on nonviolent children. The shock swayed large numbers of Black and White individuals to join and/or support the Civil Rights Movement.

1963: To protest de facto segregation in the Chicago Public Schools, over 200,000 students boycotted the city’s schools.

1963: Four Black girls were killed in a bombing while in Sunday school at a Black Birmingham, AL, church. (This was the third church bombing in just 11 days). Terrorist bombings were a frequent response to federally ordered integration in Alabama’s public school system. The home of Alfred Daniel King, the younger brother of Dr. Martin Luther King, Jr., was also bombed in Birmingham, AL. The attempted assassination failed.

1963: In response to the court-ordered desegregation in Tuskegee, AL, every White Tuskegee High School student withdrew from school. This left the five Black students who had integrated the school as the school’s entire student body. For the remainder of the 20th century, Black students continued to attend Tuskegee High School, while White students attended the Macon Academy, a local private high school.

1963: In Macon, GA, Mercer University became the first college or university in the Deep South to voluntarily integrate its student body. The board of trustees adopted a policy that stated that Mercer University would consider, “... all applications based on qualification, without consideration of race, color of skin, creed, or origin.”

1963: John Edgar Wideman, a scholar-athlete at the University of Pennsylvania, received a Rhodes Scholarship to attend the University of Oxford. He later became an influential American novelist, short story writer, and essayist. Wideman also became the first person to ever receive the PEN/Faulkner Award for Fiction twice.

1964: In the *Griffin v. Prince Edward County School Board* decision, the U.S. Supreme Court ruled that closing all of Prince Edward County’s public schools to avoid integrating its classrooms is a violation of the Equal Protection Clause of Amendment XIV to the U.S. Constitution. As part of the “massive resistance,” Prince Edward County terminated the funding of its public schools forcing them all to close. The court found in the *Griffin v. County School Board of Prince Edward County* (Va.) that, “closing Prince Edward’s schools bears more heavily on Negro children in Prince Edward County since [W]hite children there have accredited private schools which they can attend, while colored children until very recently have had not available private schools, and even the school they now attend”.⁴⁵ When the Prince Edward County public schools reopened, their student enrollment was 99% Black.

1964: President Lyndon B. Johnson signed the Civil Rights Act of 1964 (1) prohibiting discrimination in places of public accommodations, (2) banning unequal voter registration requirements, (3) giving the U.S. Attorney General more power to file racial discrimination lawsuits, (4) eliminating racial discrimination in federally-assisted programs, (5) establishing the Equal Employment Opportunity Commission, and (6) authorizing the Commission of Education to help in desegregating public schools. Discrimination based on race, color, religion, sex, or national origin was prohibited henceforth. Public school systems could lose their federal funding by refusing to integrate their schools.

1965: School boards opposing integration in Florida, Georgia, Texas, Virginia, and other states began firing African-American teachers, while the Supreme Court declares that “delays in the desegregation of schools systems are no longer tolerable” in the *Bradley v. School Board of the City of Richmond* decision.⁴⁷

1965: More than 100 brave Black teachers risked their jobs and lives when they marched from Clark Elementary school in Selma, AL, to the Dallas County courthouse to support African-American voting rights. Blacks had been denied the right to vote on the faulty premise that African-Americans were too uneducated to vote. However, that could hardly be said of the Black educators who were better educated than the average White Alabamians. Upon their arrival at the courthouse, the leader of the march, Rev. Frederick Reese, was savagely beaten by the sheriff after attempting to register to vote.

1965: The Voting Rights Act of 1965 was passed with a focus on ensuring the right to vote for Southern Blacks. Guaranteeing that all members of local communities would begin to vote accelerated the march towards Black justice and equality, as well as school desegregation.³²

1966: The influential Coleman Report, known as the “Equality of Educational Opportunity Study,” was published by the U.S. government under the authority of the 1964 Civil Rights Act. The author, James Coleman, was a Johns Hopkins sociologist who began his study with the hypothesis that equality of opportunity should be measured by equality of *outcome* rather than equality of *input*. Over 650,000 students, 4,000 schools, and more than 3,000 teachers nationally participated in the Coleman report, which was one of the first social science studies specifically commissioned by the U.S. Congress to help set government policy. The report concluded that school-based concentrations of poverty negatively impacted school achievement for poor students of color. It also found that Black students performed better in racially integrated classrooms, a finding later used to defend school desegregation by busing.³³

1966: Local police in Grenada, MS, arrested citizens for protesting the harassment of Black school students rather than arresting their White tormentors.

1966: Having successfully argued before federal courts and the U.S. Supreme Court on numerous occasions, Thurgood Marshall became the first African-American to sit on the U.S. Supreme Court.

1966: The all-Black basketball team of Texas Western University (today, the University of Texas, El Paso) won the NCAA basketball tournament, the first all-Black team to do so.

1967: The book *Death at An Early Age*, by Jonathan Kozol was published, describing the substandard education received by Black children in Boston public schools.

1967: With one of the worst reputations in the United States for school integration, a federal court ordered the state of Alabama to finally desegregate its public schools, marking the first time that a state (rather than an individual school district) receives a court order to do so.

1968: In the late 1960s, nearly 90% of Southern school systems operated under “freedom-of-choice” (school integration) plans where students could choose which school they attended. In the *Green v. County School Board of New Kent County* (VA) decision, the Supreme Court ruled that freedom-of-choice plans did not produce the desired school desegregation results intended by the *Brown* decision. The court ordered the school district to replace the freedom-of-choice approach with a more effective plan for school integration including measuring desegregation compliance using qualitative five factors: facilities, staff, faculty, extracurricular activities, and transportation. The court further stated, “The burden on a school board today is to come forward with a plan that promises realistically to work and promises realistically to work *now*”.⁴⁸ It further ordered that any adopted plan would be evaluated by the court until the state-sanctioned segregation had been eliminated completely. With the passage of the Civil Rights Act of 1964, a school district’s federal funding was in jeopardy. The Supreme Court ordered states to dismantle segregated school systems “root and branch.” While *Brown* called for desegregation of schools, *Green* set a requirement for the government to take corrective action.⁴⁹

1968: President Lyndon Johnson signed the Civil Rights Act of 1968 (also referred to as The Fair Housing Act) prohibiting discrimination in the sale, rental, and funding of housing based on race, religion, gender, or national origin. Any person who believed that they had been the victim of housing discrimination based on their race could file a legal complaint with the federal government.⁵⁰

1968: Outside of his motel room in Memphis, TN, Dr. Martin Luther King, Jr., was assassinated the morning after delivering his “I’ve Been to the Mountaintop” speech. As news of his killing reached Black communities across the United States, rioting began in more than 120 urban cities over the next week. Approximately 46 people were killed (most of them Black) and more than 20,000 arrested. Mayor Richard Daley of Chicago, IL, issued a “shoot to kill” order to the local police encouraging them to shoot violent Black protesters and rioters. This was in stark contrast to the orders given to police when violent White mobs had rioted anywhere in the country previously.

1968: A bill to establish a national holiday to honor Martin Luther King, Jr., was introduced in the U.S. House of Representatives by Congressman John Conyers (Democrat from Michigan).

1968: The U.S. Justice Department filed a school desegregation lawsuit against School District 151 in Cook County, IL, marking the first time that a lawsuit of this nature was filed against a northern U.S. city.

1968: In the *Jones v. Alfred M. Mayer, Co.* decision, the U.S. Supreme Court ruled that the U.S. Congress had the authority to prohibit racial discrimination in the sale of homes, which became a violation of the Fair Housing Act of 1968.

1968: The Ford Foundation donates \$1 million to Morgan State University, Howard University, and Yale University to prepare faculty members to teach African-American studies courses.

1968: The administration offices of Boston University were shut down by a student sit-in, when Black students demanded more Black history courses and better treatment of African-American students.

1969: In the *Alexander v. Holmes County (MS) Board of Education* decision, the U.S. Supreme Court ruled that school districts were obligated to eliminate racial segregation “at once” rather than “at all deliberate speed,” which had allowed school districts to stall in the implementation of the goals of the *Brown* decision. The Supreme Court declared that the all deliberate speed standard is no longer constitutionally permissible, and the court ordered an immediate desegregation of Mississippi schools.

1970: African-American students protested at Ohio State University to demand that the university recruit and admit more Black students. The National Guard was called in to quell the disorder.

1970: The Pasadena, CA, school district was ordered by a Los Angeles judge to submit a plan to integrate its schools. The Pasadena desegregation lawsuit was the first filed by the federal government against a non-Southern school district. Through “white flight,” (Whites moving to all-White neighborhoods to avoid school integration), there were more private schools per capita in Pasadena than any other city in the nation with a 100,000-plus population. Pasadena’s desegregation plan became one of the most successful school integration plans in the nation.

1970: Only six of 41 Southern school districts complied with the U.S. Supreme Court order to desegregate their schools. Fifteen of the 41 districts were granted delays, while 20 openly defied the order to integrate their schools.

1970: Denver, CO, produced a school desegregation plan. However, opponents of the school district's busing plan bombed the city's school buses.

1970: The U.S. Senate passed an amendment to a bill pledging to deny federal funds to school districts whose racial imbalances result from residential de facto segregation.

1970: After two buses full of Black children arrived at a formerly all-White high school in Lamar, SC, a White mob stormed the buses violently overturning them with Black students inside.

1970: School desegregation in Pontiac, MI, leads to two days of White riots.

1970: In his 1968 presidential campaign, Richard Nixon had adopted a "Southern strategy," which was an appeal to Whites who still insisted on segregation of the races in schools and in other social areas. The Nixon administration began to move away from the goals of school integration and Black equality in America. The U.S. Commission on Civil Rights labeled President Richard Nixon's school desegregation plans as "inadequate, overcautious, and indicative of a possible retreat" from the goals of *Brown*.

1971: In the *Swann v. Charlotte Mecklenburg Board of Education* decision, the U.S. Supreme Court upheld using busing as a means of integrating public school systems.⁵¹ The decision furnished school districts with an effective tool for desegregating schools where students had previously been racially isolated. The strategy typically called for the busing of students of color to all-White schools and busing White students to schools with enrollments of predominantly students of color. Although it was considered a controversial strategy to some, busing frequently achieved the desired desegregation goals. The court also approved magnet schools, compensatory education, and other tools as remedies to counterbalance residential segregation which remained a major obstacle to school integration.

1972: A U.S. District Court ordered the consolidation of the predominantly Black school districts in Richmond, VA, with the mostly White school districts in the suburbs to eliminate persistent racial segregation in schools caused by residential segregation.

1972: In the *Wright v. Council of the City of Emporia* and the *United States v. Scotland Neck City Board of Education* decisions, the U.S. Supreme Court refused to permit public school systems to avoid school integration by establishing new "splinter school districts" that were composed of predominantly or entirely all-White schools.

1972: In the *San Antonio Independent School District v. Rodriguez* decision, the U.S. Supreme Court ruled that education is not a "fundamental right" under the U.S. Constitution, which does not guarantee equal education expenditures for White students and students of color within the same state. The decision had the effect of permitting the isolation of students impacted by poverty and students of color into inferior under-resourced schools.

1973: In the *Keyes v. School District No. 1* decision, the U.S. Supreme Court ruled that the Denver Public School system was intentionally segregating Black and Brown students from White students based solely on their race. The court made a distinction between de facto segregation and state-mandated de jure segregation, which had identical consequences. The court ruled that de facto segregation was not unconstitutional. This decision further extended the nation's desegregation effort well beyond just focusing on the Southern states.

1973: In the *Norwood v. Harrison* decision, the U.S. Supreme Court ruled that states cannot provide free textbooks to all-White segregated private schools that were established exclusively to help Whites avoid public school integration.

1974: In the *Milliken v. Bradley* decision, the U.S. Supreme Court sought to limit the reach of citywide school desegregation plans by ruling that largely White school districts could not be forced to merge with predominantly Black school districts in the same city in order to improve the racial balance unless there was evidence of overt and intentional discrimination. The court ruled that schools in Detroit, MI, may not be desegregated across school districts, which effectively legalized segregating students of color in inner-city districts from White students in wealthier White suburban school districts. The court also ruled that busing children between adjacent school districts was not permissible as a solution to de facto segregated schools.

1974: Eight states (primarily in the South), submitted their plans to the Department of Health, Education, and Welfare for integrating their universities. The plans from Arkansas, Florida, Georgia, Maryland, North Carolina, Oklahoma, Pennsylvania, and Virginia were accepted for review. The state of Louisiana was sued for not submitting the plan, and the plan from Mississippi was rejected.

1974: Under pressure from the Nixon administration, the U.S. Senate passed a bill limiting court-ordered busing to integrate public schools.

1974: A U.S. District Court ordered the Boston Public Schools to desegregate by deploying a massive busing plan for integrating the Boston city schools. This touched off extensive white violence and rioting in opposition to school desegregation. White students and parents harassed, assaulted, and intimidated Black students who were bussed into White neighborhoods. Black students suffered profanities, racial epithets, physical assaults, and dangerous objects thrown at their school buses.

1974: Richard Nixon resigned from office following the revelation that he played a role in the Watergate break-in at the Democratic National Headquarters. VP Gerald Ford assumed the office of the presidency. Following the resignation of Nixon's Vice President Spiro Agnew, Ford had been appointed the vice president. Ford became the first president of the US who had neither been elected as president or vice president. After his resignation, Ford pardoned Nixon for any and all crimes Nixon may have committed.

1976: Black students protested the flying of the Confederate flag at Pensacola, FL, school sporting events. The result was four weeks of shootings, Klu Klux Klan cross burnings, arson at Black homes, and assaults by Whites.

1976: Numerous police officers were injured by violent White mobs near South Boston High School angered over forced busing.

1978: In the *Regents of the University of California v. Bakke* decision, the U.S. Supreme Court ruled that while race could be used as a factor in university admissions, racial quotas were prohibited. Instead, race could only be used as one factor considered during the admissions process, when all other factors were equal. The Court ruled that it is "reverse discrimination" and unconstitutional for schools to set aside a specific number of spaces for Black and *Brown* students preventing those places going to "qualified" White students, operating under the assumption that Black students were academically "unqualified" to attend the university. The Court ruled that race could be a factor considered in university admissions, but it could not be the deciding factor. This decision struck a blow to affirmative action programs throughout the country, including and beyond education.⁵²

1982: The Ronald Reagan administration announced that it would no longer allow the Internal Revenue Service to deny tax-exemption to private schools that discriminated against students of color in their college admissions. The NAACP promptly filed a lawsuit with the Supreme Court. The following year, in the *Bob Jones v. The United States* decision, the U.S. Supreme Court upheld the IRS practice of denying tax-exempt status to segregated private schools that had a policy of denying admission to students based solely on the race of the (Black) candidate.⁵³

1984: In the *Grove City College v. Bell* decision, the U.S. Supreme Court ruled that private institutions must also adhere to anti-discriminatory laws since their students receive federal financial aid. To continue its policy of racial discrimination in admissions, Grove City College ended its participation in the federal financial aid program instead. The court also ruled that regulations outlawing discrimination in higher education extended only to the program under investigation and not to the entire (school) institution.

1986: In the *Wygant v. Jackson Board of Education* decision, the U.S. Supreme Court supported using seniority over affirmative action in the hiring and retention of educators.

1988: School integration in the United States reached its all-time high. Almost 45% of the nation's Black students were enrolled in majority-White schools. After this point, a downward trajectory began.⁵⁴

1990: In the *Board of Education of Oklahoma City v. Dowell* decision, the Supreme Court ruled that once a school district has made a "good faith" effort to integrate its schools, the district could be summarily relieved from court oversight, since the orders were not intended "to operate in perpetuity."³⁹ The Dowell decision opened the door to the wholesale "resegregation" of schools and entire school districts only two years after desegregation had reached its peak. The number of integrated schools began a swift downward decline, as school districts abandoned their desegregation plans in earnest.

1991: In response to low Black male high school graduation and college entrance rates, a plan to develop a Black male Academy with Black male role models and mentors was unveiled and approved by the Detroit Board of Education to reduce the alarming Black male dropout rate in high schools.

1992: In the *United States v. Fordice* decision, the U.S. Supreme Court ordered 19 states to act immediately to integrate their state-run higher education systems. (The decision specified not "with all deliberate speed," which had been commonly interpreted as, "well, sooner or later," by those not genuinely committed to desegregating their school systems.) The court stated that adopting race-neutral measures did not satisfy the constitutional obligation to desegregate colleges and universities that had previously been segregated by law.

1992: In the *Freeman v. Pitts* decision, the U.S. Supreme Court accelerates the extinction of genuine school desegregation efforts by ruling that states can fulfill their obligation to integrate schools by means of any "incremental measures" they deem suitable.

1993: The U.S. Supreme Court ruled that a school with district boundaries drawn in "bizarre" (gerrymandered) configurations for no other visible reason other than to segregate certain racial or ethnic groups is an unconstitutional practice.

1994: The Fourth Circuit Court of Appeals (in Richmond, VA) ruled that the University of Maryland's Benjamin Banneker Scholarship Program for Black students was unconstitutional because it used state funds in a discriminatory manner even though it may "right the historical wrongs" in the university's reprehensible history with African-Americans.

1994: Proposition 187 was passed by California voters making it illegal to enroll the children of undocumented immigrants in any California public school. In 1997, Proposition 187 was deemed unconstitutional and was overturned by the federal courts.

1995: In the *Missouri v. Jenkins* decision, the U.S. Supreme Court set a new nadir for school integration plans by returning “local control” to school districts and placing efforts to desegregate schools into the hands of school district officials who had no intentions of ever doing so. The court declared that its remedies were intended to oblige districts to attempt desegregation for a “limited in time and extent” only rendering any *failed* effort adequate.

1996: In the *Hopwood v. Texas* decision, the U.S. Court of Appeals for the Fifth Circuit (in New Orleans, LA) ruled that the University of Texas School of Law were prohibited from using race as a factor in determining student admissions, which essentially terminated all affirmative action programs in Louisiana, Mississippi, and Texas. The Texas attorney general suspended all race-sensitive admission policies in every state-operated college and university. The ruling was later overturned by the U.S. Supreme Court in the *Grutter v. Bollinger* ruling. The following year, the Texas state legislature passed another law allowing the University of Texas to admit the top 10% of students in all Texas high school graduating classes in order to counterbalance the Hopwood decision. By 2001, African-American enrollment increased to 3.5% of the freshman class, which though modest, constituted a 50% increase.

1996: California voters passed Proposition 209, which banned the use of race as a factor in admissions to California state colleges and universities. Consequently, the percentage of African-American freshman admitted to the University of California at Berkeley (the flagship of the University of California system) dropped by 57% in 1998, the first year that the ban became effective.

1998: Washington state voters passed Proposition 200, which bans race as a factor in consideration of public college admissions. The following year, applications from Black students drop by 17%.

1998: California voters passed Proposition 227, requiring English-only instruction in California public school classrooms, thereby abolishing all bilingual education in California public schools.

1998: A Federal Court in Ohio concluded that set-aside programs for racial minority students at Cuyahoga Community College are unconstitutional since they discriminate against White students (although the university, like all others in America, was initially designed with White students in mind). Moreover, trustees were warned that they could be held personally liable for continuing practices with racial preferences for racial minority students, which further discouraged them from any effort to increase the student enrollment of people of color.

1999: Recognizing the latest “conservative” rulings, the state of Oklahoma eliminated all college scholarships explicitly designated for African-Americans and other students of color.

1999: To enhance his credentials with White conservatives for his 2020 presidential bid, Florida Gov. Jeb Bush prohibited the use of race as a factor in considering students for admission to Florida State University applicants.

1999: The state of California adopted a policy that automatically qualified students in the top 4% of high school graduates admission to the CA state university system.

1999: The University of Virginia abandoned its six-year-old admission strategy of granting two bonus points (on a scale of eight points) to Black students who applied for admission after threats of a lawsuit. The percentage of African-Americans in the freshman class dropped significantly by 2004.

2000: Mount Holyoke College, a higher education institution for women in Massachusetts, eliminated SAT test scores as a requirement for admission, resulting in a 50% increase of Black freshman applicants.

2000: The University of Massachusetts adopted a new admissions policy that decreased both the importance of SAT scores and a student’s race as admission factors. Instead, it put a greater emphasis on a student’s high school GPA. Although well-intentioned, this plan operated on the misleading premise that all state high schools offer the same curriculum, use the same grading metrics, and provide students with identical levels of academic support. It also assumed that students had an equitable K-12 educational experience, which was a false assumption.

2000: After White parents in Charlotte, NC, filed a lawsuit, the courts overturned the 1971 *Swann v. Charlotte Mecklenburg Board of Education* decision that lifted the court-ordered school desegregation plans by forced busing, which prompted many school districts to adopt a “school choice” plan to distribute students in each racial group throughout the school district without race being a factor in determining school assignments (which failed).

2001: The George Bush administration promoted the “No Child Left Behind” Act, that held schools accountable for student achievement by withholding funds from any school whose students did not meet the No Child Left Behind performance goals as measured by test scores. Providing fewer resources to struggling schools so they would achieve their educational goals was a novel approach (sponsored by a unique form of questionable logic) for enhancing student performance. The plan called for firing teachers and principals until student test scores improved (which failed, as expected). Persistent teacher and principal turnover had previously been proven to be a factor that negatively influencing student success.

2001: At the University of Georgia, the affirmative action admissions program was ruled unconstitutional by the 11th Circuit Court of Appeals in Atlanta, GA, leading to a 20% decrease in Black applicants the following year.

2001: The U.S. Supreme Court ruled that states cannot be sued for policies that may have a discriminatory and negative impact on African-American students. The ruling placed the burden on plaintiffs to show that the discrimination resulted from a “deliberate and intentional” attempt to harm Blacks or other students of color.

2002: The Virginia Attorney General sent a letter to the presidents of all Virginia public colleges and universities urging their institutions to give a (Black or Brown) student’s race as little weight as possible in the college admissions process or risk possible future lawsuits.

2003: Harvard’s Civil Rights Project released the report, “Schools are Becoming More Segregated,” revealing that, after 30 years of progressive desegregation, American schools had slid precipitously towards “re-segregation” for well over a decade, despite a steady growth in the enrollment of students of color in public schools as well as the implementation of successful busing plans to carry out school desegregation.⁵⁵

2003: In the *Gratz v. Bollinger* decision, the U.S. Supreme Court overruled the University of Michigan’s race-sensitive admissions policy, which used a numerical formula granting extra points to Black college applicants. The court agreed that student diversity justifies affirmative action programs, but that receiving a specific number of points for being Black was not acceptable, and thereby not permissible. Ohio State University restructured its admissions procedures terminating the practice of granting extra points for students of color. Instead, applicants were required to write short personal essays as part of the admissions process. Ohio’s Black enrollment drops following that decision.

2003: In the *Grutter v. Bollinger* decision, the Supreme Court upheld the affirmative action policy at the University of Michigan Law School, ruling that a student’s race could be considered among the many factors, when applying for admission, because it furthers “a compelling interest in obtaining the educational benefits that flow from a diverse student body”. The court suggested that after 25 years, race-sensitive admission policies were no longer needed. However, a survey conducted by the National Association of College Admission Counseling found that 33% of all colleges and universities used race as a factor in student admissions decisions.

2003: Although the U.S. Supreme Court ruled that affirmative action policies were constitutional, the University of Georgia decided not to restore its affirmative action admissions program. Rice University in Houston, TX, resumed its race-sensitive admissions program, which resulted in a 60% increase in incoming Black freshmen students in the fall of that year.

2003: In the *Lynn v. Comfort* decision, a federal court supported the advantages of racial diversity and race-conscious placements for school attendance in K-12 education.

2004: Conservatives were quite clever at marking bills, propositions, and organizations in deceptive ways. Typically, the names they selected implied the opposite of their intentions. One such organization was the “Center for Individual Rights,” which filed a lawsuit in Federal District Court in Detroit, MI, claiming that White and Asian students had suffered “damage” between 1995 and 2003, when they were passed over for admission to the University of Michigan in favor of Black students.

2004: The Mexican American Legal Defense and Educational Fund filed a lawsuit against the California Polytechnic University at San Luis Obispo, contending that the university’s admissions policies discriminated against Latino and Black applicants.

2004: Brown University in Rhode Island established a committee to investigate the university’s historical involvement in American slavery. Many Ivy League schools and Southern universities had a checkered history of being the beneficiaries of Black enslavement.

2004: The Office for Civil Rights in the U.S. Department of Education issued a report finding that race-neutral admissions policies were permissible alternatives for increasing racial diversity on college and university campuses. However, the Bush administration eliminated funding for the very outreach programs identified in the report. Subsequently, the U.S. Commission on Civil Rights issued a follow-up report criticizing the Bush administration for its dismal record of support for educational equality and opportunities for students of color. The Bush administration later presented a follow-up proposal to dramatically reduce the Perkins loan program for low-income students in 2005.

2006: The Geier Scholarship program at the University of Memphis was scratched after the University’s legal counsel advised that “Black-only” scholarships were no longer permissible or even necessary at this time in history. Almost 200 Black students were negatively affected by the termination of the scholarship program.

2006: During this decade, several states had a referendum on the ballot to ensure that “all students have the same opportunity to enroll in college.” While in theory, the idea supported fairness, it failed to acknowledge that race-conscious admissions policies were also an effort to repair the damage done to generations of African-Americans who had been denied enrollment because of race conscious admissions policies. So, it was not surprising that Michigan voters approved a referendum banning the use of race in any state agency including its colleges and universities. Thereafter, the race of a student of color could not be used as a favorable factor during the college admissions process.

2006: The Brown University Steering Committee on Slavery and Justice concluded that the university indeed had benefited from its past connections with slavery in America. However, the university did not propose any act of contrition or reparations for African-Americans.

2006: Although African-Americans began to close the Black-White gap in SAT test scores, the test came under scrutiny and criticism due to scoring errors and reliability of the new writing segment and accurately predicting college performance. Scores of colleges and universities dropped or reduced the requirement that applicants take the SAT test.

2007: The Supreme Court struck down the voluntary use of race to meet school district's desegregation goals. In the Parents Involved in *Community School v. Seattle School District No. 1* and the *Meredith v. Jefferson County Board of Education* decisions, the U.S. Supreme Court ruled that the school districts in Seattle, WA, and Louisville, KY, could not use race in determining school assignments for students in public high schools, which suddenly made desegregation a voluntary practice or merely unplanned school integration that was merely coincidental. The court also deemed the racial designations to be somewhat arbitrary. In Seattle, WA, students were classified as either "White" or "Non[-W]hite," while students in Louisville could be classified as "Black," "White," or "Other." This decision accelerated the pace of racial "resegregation" in public schools throughout the country, since there was no agreed-upon standard for racial classifications that would allow an equitable distribution of diverse students by school site.⁵⁶

2008: In November 2008, the junior senator from Illinois, Barack Obama, was elected President of the United States becoming the first African-American to do so. Obama was born to Ann Dunham (of English, Welsh, German, Swiss, and Irish descent) from Wichita, KS, and Barack Hussein Obama, Sr., from Kenya. They met at the University of Hawaii as students. President Obama was elected on campaign promises (1) to increase financial aid for low-income college students, (2) to increase financial support for HBCUs, and (3) to continue the legacy of affirmative action in higher education.⁵⁷

2008: A study from the U.S. Department of Education reported that:

- Blacks earned 142,420 BA and BS degrees from American colleges and universities in 2006, which was a 4% increase over the previous year and the highest in the history of the US. It was also more than double the number of bachelor's degrees that Blacks had earned in 1990. Only 5% of Blacks had attended a college or university, and only 2% were college graduates in 1950.
- In 2006, nearly 59,000 African-Americans received master's degrees, which was quadruple the number earned by African-Americans in 1985.
- African-Americans earned 6,223 professional degrees (medicine, law, dentistry, and other fields) in 2006, accounting for 7% of all professional degrees awarded in the US that year. The number of Blacks awarded professional degrees each year more than doubled since 1985.

- The percentage of African-Americans between the ages of 18 and 24 enrolled in a college or university increased to 33% compared to 21% twenty years earlier.
- In 2007 there were 37,862 Black faculty members at degree-granting institutions in the US. Black faculty members constituted 5% of the total college faculty membership in the country. In 1981, Black faculty members constituted only 4% of all faculty members in higher education.⁵⁸

2010: President Barack Obama issued an executive order creating the White House Initiative on HBCUs. The order incentivizes the private sector, nonprofits, governmental agencies, and other organizations to work with HBCUs to provide a high-quality education to greater number of African-American students in the country.⁵⁹

2012: President Barack Obama signed an executive order creating the White House Initiative on Educational Excellence for African-Americans, which a program created to improve education achievement of African-Americans with a special focus on the completion of high school and college. The order declared that "Significantly improving the educational outcomes of African-Americans will provide substantial benefits for our country by, among other things, increasing college completion rates, productivity, employment rates, and the number of African-American teachers".⁶⁰

2013: The "Black Lives Matter" movement began in 2013 following the acquittal of a neighborhood watchman George Zimmerman for the shooting death of Trayvon Martin, a Black 17-year-old. Many Whites considered the Black Lives Matter movement "radical" for insisting on appropriate punishment for those responsible for killing unarmed Black people. For centuries, the killing of unarmed African-Americans had been used consistently to send a clear message that a Black life was insignificant to the dominant culture. However, people of all colors around the world marched in support of the notion that Black lives *actually did* matter.

2014: The U.S. Supreme Court ruled that voters in the state of Michigan have a constitutional right to prohibit race-sensitive college admission policies at state-operated colleges and universities, overturning a decision by the Sixth Circuit Court of Appeals.

2014: Students for Fair Admissions, an offshoot of the Project on Fair Representation, was founded in Michigan. The primary purpose of the organization was to end race-based considerations and racial preferences in college admissions.⁴⁴ The organization began filing lawsuits against major universities accusing them of discrimination against White and Asian applicants. Ultimately, these lawsuits resulted in the Supreme Court's conservative majority overturning the admissions programs at the University of North Carolina and Harvard University.

2015: Public school districts throughout the country continued to introduce magnet schools, charter schools, and other voluntary programs to address racial and economic desegregation in schools.

2019: According to a 2019 EdBuild report, U.S. school districts that served primarily students of color received \$23 billion *less* in funding than schools serving mostly White students. On average, non-White school districts received approximately \$2,200 less per pupil than school districts that were predominantly White. In the state of New Jersey, school districts serving mostly students of color received \$3,400 less per child than schools with a mostly White student body. Schools in wealthier, predominantly White neighborhoods typically had better and more technology, more up-to-date books, and smaller class sizes than schools in disadvantaged neighborhoods attended by a greater number of students of color.⁶¹

2020: Six decades after the *Brown* decision ruling that separate-but-equal schools were unconstitutional, American schools were still largely segregated by race, ethnicity, and family income (which is influenced by race in America). According to the Economic Policy Institute, the lack of progress in integrating schools for Black children had the following results:

- It depressed educational outcomes for Black students.
- It widened performance gaps between Black and White students.
- It reflected and bolstered segregation by socio-economic status, with Black students more likely to attend high-poverty schools than White students.
- It meant that the promise of school integration and equal educational opportunities for all Black students remained a future goal rather than a current reality.
- When Black students attended schools with lower poverty levels and a larger percentage of White students, they saw an improvement in their performance on standardized tests.⁶²

2020: The *National Assessment of Educational Progress* (NAEP) reported the following:

- Only about one in eight White students (13%) attended schools where the majority of students are students of color (Black, Hispanic, Asian, or Native American).
- Black students more frequently attended economically segregated (high-poverty) schools.
- Fewer than one in three White students (31%) attend a high-poverty school, compared to more than 72% of Black students attending high-poverty schools.

- Black students faced a very high probability of attending a school where a majority of their peers were both poor and students of color.
- Fewer than one in 10 White students (8%) attended high-poverty school with a large share of students of color, while 60% of Black students did.
- One fourth of White students (24%) attended schools where most of their peers were White, and *not* poor, while only 3% of Black students attended such schools.
- In high-poverty schools with a high percentage of students of color, Black students scored on average 20 points less on standardized tests in math than their counterparts in low-poverty, mostly White schools (with scores of 255 versus 275, respectively).
- Promoting policies that facilitate a shift away from our current pattern of heavily segregated schools would help close the Black-White achievement gap.
- Unaddressed school segregation remained a major educational policy failure.⁴⁵

2020: The COVID-19 pandemic began at a time when significant progress had been made in closing the Black-White achievement gap. School districts throughout the country initiated “remote learning,” where students were taught via the technology available in their homes.

Immediately, Black students suffered more academically than their White counterparts because of a widely recognized “digital divide” in the home technology available to Black versus White students, which highlighted the disparities in technology and internet access found in (1) Black and White homes, (2) Black and White schools, and (3) urban versus suburban communities.⁶³

2021: Approximately 15% of U.S. students enrolled in public PreK-12 schools were African-American. However, nearly 60% of Black students attended public schools where students of color comprised at least 75% of the total school enrollment, which translates into only a modest improvement since the *Brown* decision in 1954.⁴⁶

2022: A U.S. Government Accounting Office report revealed the following:

- More than one third of U.S. students (approximately 18.5 million) attended schools where 75% or more students were of a single race or ethnicity.⁶⁴
- Fourteen percent of students attended schools where 90% or more of the student body was composed of a single race or ethnicity.
- School district boundaries contributed to the continued segregation in schools along racial and ethnic lines.

- A history of discriminatory practices contributed to inequities in education, intertwined with the disparities in wealth, income, housing, and employment opportunities.
- Historically, segregation has been associated with the South, although the highest percentage of schools serving predominantly single-raced student populations (mostly White, mostly Black, or mostly Hispanic) were in the Northeast and the Midwest.⁶⁵

2024: School segregation and the trend towards *resegregation* were both alive and well in U.S. communities. The term “apartheid schools” described largely segregated public schools where White students often made up no more than 0%–10% of the student body within a school building. While these circumstances reflected the consequences of residential segregation, they also represented long-standing policies of racial isolation and a lack of genuine efforts to desegregate U.S. public schools over the last 70 years.⁶⁶

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Endnotes

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