

Lesson Six

Decade Six: 1950-1960

Brown v. Board of Education

Julie A. Armentrout, Ph.D., University of Colorado at Colorado Springs

Summary of Topic:

When looking back in history at landmark court cases, *Brown v. Board of Education* is one that is highly significant in shaping American democracy. In order to understand the significance of the decision, one must first understand the social climate that led to the court decision, as well as have an understanding of the successful approach the legal team implemented in order to win the case.

Prior to the 1954 landmark case of *Brown v. Board of Education*, desegregation was in sight as a democratic outcome. Just ten years earlier, the United States, under the Presidency of Franklin Delano Roosevelt, invested millions of dollars and several thousand of our fellow Americans to combat the Hitler regime that reduced Jewish rights and then decimated the Jewish population. In addition, wartime labor and postwar economic growth opened new opportunities for Blacks which resulted in several segregated workplaces becoming desegregated. In 1946, President Harry Truman appointed a Committee on Civil Rights whose report, *To Secure These Rights*, called for the elimination of segregation based on race, color, creed, or national origin. In 1948, President Truman urged Congress to pass civil rights legislation and issued an executive order to eliminate segregation in federal employment and military venues. Truman also eliminated the segregation requirement for federal housing mortgage insurance. Moreover, Dwight D. Eisenhower, during the 1952 presidential campaign, promised to end segregation. As a result, the elimination of segregation (while not nearly fully enacted) was in process prior to the *Brown v. Board of Education* Supreme Court decision.

The first documented school desegregation case was *Roberts v. City of Boston* which occurred in 1849. In the *Roberts* case, the courts denied Benjamin Roberts and other African American parents the right to enroll their children in certain Boston Public Schools. In the 1896 *Plessy v. Ferguson* case, the Supreme Court declared it law that "separate but equal" facilities be provided for all African American children.

Many believe that the *Brown* case in Kansas came about because Linda Brown was denied access to her neighborhood school and had to walk several blocks to attend an African American school. While portions of this are true, the *Brown* case was initiated and organized by the National Association for the Advancement of Colored People (NAACP) leadership who recruited African American parents in Topeka for a class action suit against the local school board. While buses were provided for African American children, they were only allowed to attend designated public schools based on race. Furthermore, many believe that Linda Brown was the only plaintiff in the case. In reality, the case that was brought before the U.S. Supreme Court was a combination of five cases from various parts of the country, representing nearly 200 plaintiffs.

While it is important to understand the events leading up to the *Brown* case, it is crucial to understand the legal strategies implemented by the *Brown* legal team in order to win the case. The NAACP, while taking a lead role in the *Brown* legal battle, was involved at every level of the five segregation-related cases that came under the heading of *Brown v. Board of Education*.

1. *Belton v. Gebhart*: This case challenged the inferior conditions of two black schools designated for African American children. In Claymont, Delaware, African American children were prohibited from attending local schools. Instead, they had to ride a bus nearly an hour to attend Howard School in Wilmington, Delaware. This school suffered from a deficient curriculum, high pupil-teacher ratios, lack of teacher training, and lack of quality extra-curricular activities.
2. *Brown v. Board of Education of Topeka*: The purpose of this case was to organize a legal challenge against an 1879 Kansas state law that permitted racially segregated schools in certain cities based upon population. Topeka, Kansas operated 18 neighborhood schools for white children, while African American children had access to only four schools.

3. *Briggs v. Elliot*: This case sought out legal action against the inferior conditions African American students experienced under South Carolina's racially segregated school systems.
4. *Davis v. County School Board of Prince Edward County*: One of the schools available to African American children in the state was Robert Moton High School in Prince Edward County. This school was never large enough to accommodate the student population. Eventually, classrooms were added to the school building; however, they were constructed out of tar paper. The lack of an adequate educational environment sparked a strike among the African American teachers.
5. *Bolling v. Melvin Sharpe*: Eleven African American students were taken on a field trip to the new John Phillip Sousa School for white children. The students were denied access and ordered to return to their inadequate school.

These five cases were allowed to be labeled under the heading of *Brown v. Board of Education* because they were able to illustrate that each case sought the same relief from segregated schools for African Americans. This was one of many key elements to winning the case because it created a larger gravitational pull toward desegregation and equality. Secondly, the NAACP organized and submitted multiple plaintiffs. Finally, many believe that the name "Brown" was used as a legal strategy to have a man head the plaintiff roster.

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References

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Grade Level: Middle and High School

Subject: Social Studies

Topic: Decade Six: 1950 - 1960

Brown v. Board of Education

Standards:

USA - Nat. Council for Social Studies: Nat. Standards for Social Studies Teachers

Standard A1: Thematic Standard: Culture and Cultural Diversity

Social Studies teachers should possess the knowledge, capabilities, and dispositions to organize and provide instruction at the appropriate school level for the study of Culture and Cultural Diversity.

Type of Expectation: Teacher Expectations

Teachers of social studies at all school levels should provide developmentally appropriate experiences as they guide learners in the study of culture and cultural diversity. They should enable learners to analyze and explain the ways groups, societies, and cultures address human needs and concerns;

Expectation: guide learners as they predict how data and experiences may be interpreted by people from diverse cultural perspectives and frames of reference;

Expectation: enable learners to give examples and describe the importance of cultural unity and diversity within and across groups

Expectation: have learners interpret patterns of behavior reflecting values and attitudes that contribute or pose obstacles to cross-cultural understanding;

Expectation: guide learners as they construct reasoned judgments about specific cultural responses to persistent human issues.

USA- Nat. Council for Social Studies: Expectations of Excellence: Curriculum Standards for Social Studies

Strand I: Culture: Social studies programs should include experiences that provide for the study of culture and cultural diversity.

Strand II: Time, Continuity, and Change: Social studies programs should include experiences that provide for the study of the ways human beings view themselves in and over time.

Strand III: People, Places, and Environments: Social studies programs should include experiences that provide for the study of people, places, and environments.

Strand V: Individuals, Groups, & Institutions: Social studies programs should include experiences that provide for the study of interactions among individuals, groups, and institutions.

Strand VI: Power, Authority, & Governance: Social studies programs should include experiences that provide for the study of how people create and change structures of power, authority, and governance.

Strand X: Civic Ideals and Practices: Social studies programs should include experiences that provide for the study of the ideals, principles, and practices of citizenship in a democratic republic.

Objectives:

Students will examine the people, places, and events that led to the end of school segregation and the beginning of equal educational opportunity for all Americans.

Students will explore ways in which the Brown v. Board of Education decision has impacted the access to, and the general quality of, public education today.

Essential Questions:

1. What implications did the Tuskegee Airmen in the previous decade have on the state of segregated schooling in the United States during the 1950s?
2. What were the significant events across the United States that led to the Brown v. Board of Education court battle?
3. How is Brown v. Board of Education similar to the 13th and 14th Amendments of the U. S. Constitution?
4. How do the beliefs about educating black children and white children in the 1950s compare with our beliefs today about educating students with and without disabilities?

Culturally Responsive Resources:

<http://www.tolerance.org/>
<http://www.nationalcenter.org/brown.html>
<http://brownvboard.org/index.htm>
<http://www.digisys.net/users/hootie/brown/>
<http://www.nps.gov/brvb/>
<http://www.npr.org/news/specials/brown50/>
<http://www.oyez.org/oyez/resource/case/51/>
<http://www.nea.org/brownvboard/index.html>
<http://americanhistory.si.edu/brown/>
<http://anationacts.brownvboard.org/>

Patterson, J.T. (2001). *Brown v. Board of Education: A civil rights milestone and its troubled legacy (pivotal moments in American history)*. New York, NY: Oxford University Press.

Williams, J. (1998). *Thurgood Marshall: American revolutionary*. New York, NY: Three Rivers Press.

Lesson Plan Activity

a. Summary of Activity #1

As a class, students will explore the court decisions that led to the end of the "separate, but equal" doctrine and marked the beginning of inclusive education for all American citizens regardless of race, ethnicity, language, socioeconomic level, or ability. This activity provides students with an opportunity to explore the details of individual court cases and how they have positively impacted the public school system of today.

b. Procedure

Materials Needed

Computers - Internet Access
Access to various media forms for presenting research: (PowerPoint software, poster board, digital camera, video camera)

Time Needed

1 - 5 class periods. No set time is required.

Students will divide into five groups of approximately equal size. Each group is assigned one of the five separate court cases that collectively influenced the Brown v. Board of Education decision. The court cases are as follows: (1) Oliver Brown v. Board of Education of Topeka; (2) Spottswood Thomas Bolling v. C. Melvin Sharpe; (3) Francis B. Gebhart v. Ethel Louise Belton; (4) Harry Briggs, Jr. v. R. W. Elliott; and (5) Dorothy Davis v. County School Board of Prince Edward County, Virginia.

Each group will conduct extensive research on their particular court case. Each group must cover six specific areas during their research: (1) the facts of the case as presented by the plaintiff; (2) the facts of the case as presented by the defense; (3) the ruling provided by the Supreme Court Justices in support of ending the "separate, but equal" doctrine"; (4) the ruling provided by the Supreme Court Justices in support of maintaining the "separate, but equal" doctrine; (5) society's attitudes of the court's ruling during the 1950s; and (6) ways in which the court's ruling has impacted the ability of other disenfranchised groups (e.g., people with disabilities) to access public education today.

Following their research, each group will present their information to the class as a whole (the teacher may also decide to hold a special assembly in which the students can present their research to the entire school population). Encourage your students to be creative in their mode of presentation! Various media forms may include digital photography, digital video, PowerPoint, music, poetry, and/or theatrical presentations.

c. Differentiated Instruction Ideas (engaging students with significant disabilities):

- Students can be assigned various responsibilities for collecting data on one (or more) of the six areas of research (e.g., typing in key terms during a Google search).
- Students can assist in the development of the group presentations
- Students can provide cue cards to the group that addresses each of the debriefing questions.

d. De-Briefing

- Based on the attitudes toward the African American population during the 1950s, how did you predict the court would rule in your particular case?
 - Do you think that laws can, in and of themselves, create equality among its citizens?
 - The Brown v. Board of Education decision was founded on the termination of school segregation between African American children and White children. Do you think, though, that segregation still exists today? In what forms (i.e., subtle vs. blatant)? Who is being segregated?
 - Can we force people of different races, ethnicities, languages, abilities, and socioeconomic levels to mix together?

Assessment

Students will cite personal examples of ways in which they have had to advocate for equal treatment under the law. This can pertain to a variety of contexts (i.e., schooling, employment, voting, medical treatment).

a. Summary of Activity #2

The purpose of this activity is to give students the opportunity to fully experience the process of Advocacy - in its every fiber, shape, and form. The experiences illuminated through this activity are meant to build in students a strong sense of compassion and empathy. Students will conduct an Action Research Project in which they will measure their school against the qualifier, "Is my school tolerant?" Viewing their school through the lens of Diversity, students will provide a report to the school's principal, and present their findings to the larger school population via innovative media forms, that provide examples of ways in which the school embraces and celebrates diversity of ability, ethnicity, race, language, background, gender, socioeconomic level, religion, age, and geographical location.

b. Procedure

Materials Needed

Computer access

Access to various materials (PowerPoint software, Excel, Graphics software)

Time Needed

No set time frame necessary

The teacher will divide the class into various groups. Each group will be responsible for profiling their school in terms of how "tolerant" the faculty, students, staff, and the building's infrastructure is of Diversity. The class will be divided into the following nine diversity-related groups:

- 1. Accessibility / Compliance with Americans with Disabilities Act (ADA)** - How well is the school building structured? Can a person who is physically challenged navigate the building with the same ease as someone without a physical challenge? How many elevators does the school have? How are the classrooms structured? Is there natural lighting? Is the space in between the rows of chairs wide enough for someone who is physically challenged? Is it efficient for students to move in and out of a classroom in the event of an emergency?
- 2. Slurs / Stereotypes** - Record as many stereotypes (positive and negative) about a particular group. Is person-first language used to address those with disabilities (i.e., "a student with Autism" as opposed to an "Autistic student"). How many times is "lazy" used to describe someone with a learning disability? How are individuals from various ethnic groups (e.g., African Americans, Latino/Latina, Pacific-Asian) addressed?
- 3. Diversity Profile** - Interview each member of your group. How many diverse friends, family members, etc. does each member of your group have in their life? What percentages of various ethnic and cultural groups are represented in your school?
- 4. Holidays Recognized by School** - What holidays and/or religious events does your school recognize? How are they celebrated? Does your school recognize the beliefs of Atheists and Agnostics? Does your school have accommodations within their testing schedule (e.g., a student is Jewish and wants to reschedule a test that is supposed to occur on the day of Hanukkah).
- 5. Dress Policy** - Example.....Does your school state that "hats" are illegal? What is the definition of "hats"? Does this include Turbans, Burqas, and Yarmulkas?
- 6. Food Choices in Cafeteria** - Does your school cafeteria provide a wide range of food that accommodates the diversity of taste preference and food intake requirements among the faculty and student body (e.g., vegan; dietary restrictions during season of Lent?)
- 7. Extracurricular Activities** - What student organizations does your school recognize? Is there a healthy mix of diverse preferences and interests? Do enough student organizations exist in order to accommodate the needs, preferences, and interests of the entire student body?

- 8. Diverse Means of Presenting Content (a.k.a. Academics)** - Does each classroom teacher (e.g., History, Math, Reading/Writing, Science, Physical Education) teach the content in various ways so that students of all abilities can access the information? Are accommodations and modifications a natural part of each class lesson?
- 9. Languages** - Is information (e.g., written and verbal announcements; class content) presented in the English language and one other dominant language (i.e., Spanish)? How many "foreign" languages are offered in your school's curriculum? Is it required that all students take at least one "foreign" language? Is American Sign Language and/or Braille part of the "foreign" language options"

Each group will spend approximately two weeks (minimum...depending upon the needs of each group) gathering data on their specific area of diversity. The teacher should ensure that each group has a chance to meet together and collectively process the data that is gathered by its individual members.

Upon the completion of each group's research, the teacher will direct all groups to convene together. From this point forward, only one group will be in existence (e.g., all nine groups will come together to form one group). The task at hand will be for each of the nine individual groups to share their data with the larger group. As a large group, a formal report will be constructed that illuminates the school's performance on each of the seven variables of diversity. This formal report will be written to one primary audience: the school's principal. The formal report should consist of both narrative and graphics and it must also be professionally constructed.

Following the construction of the Principals' formal report, the entire group will be required to present their findings (from each individual group) to the larger student and faculty body. This can be done via a stage production, school assembly, visual displays throughout the school, etc. Please encourage the entire group of students to be as creative as possible when designing their particular venue from which to share their information!

c. Differentiating Instruction Ideas (engaging students with disabilities):

- Assign a peer buddy to work with the student(s) in collecting key data on one of the nine areas.
- Provide the student(s) with pre-taught questions that can be asked of key personnel during the data collection process.
- Assign specific responsibilities to student(s) for preparing the Principal's report and the presentation to the larger student and faculty body.

d. De-Briefing

- What did you predict to be your school's ability to embrace diversity?
- In what ways are you surprised by the results?
- How important is it to you to experience diversity while attending school?
- How would you go about advocating for the equal treatment of someone who was different from you, based on skin color, language, ethnicity, or ability level?
- How has the work of advocacy groups influenced the extent of equal treatment experienced among disenfranchised groups of today?

Assessment

Students will be required to compile a report to the Principal on the school's ability to embrace various dimensions of diversity. Students can either compile journal entries of their experiences in collecting the data or they can write an essay on the research they conducted to measure the various dimensions of diversity.