

The Lawyers' Committee's Approach To Expanding Educational Opportunities

Formed at the request of President John F. Kennedy, the Lawyers' Committee for Civil Rights Under Law has an over 40 year track record in carrying on the legacy of *Brown v. Board of Education* by promoting school integration. The Lawyers' Committee's Educational Opportunities Project will harness the power of its vast pro bono network of law firms to respond to the post Seattle decision era by offering guidelines to school districts with school desegregation plans and assisting in litigation to defend school integration. In addition, our Parental Empowerment Program has created projects to address school improvement throughout the country.

The Following Websites Provide Useful Information and Links:

- www.lawyerscommittee.org
- www.naacpldf.org
- www.naACP.org
- www.charleshamiltonhouston.org

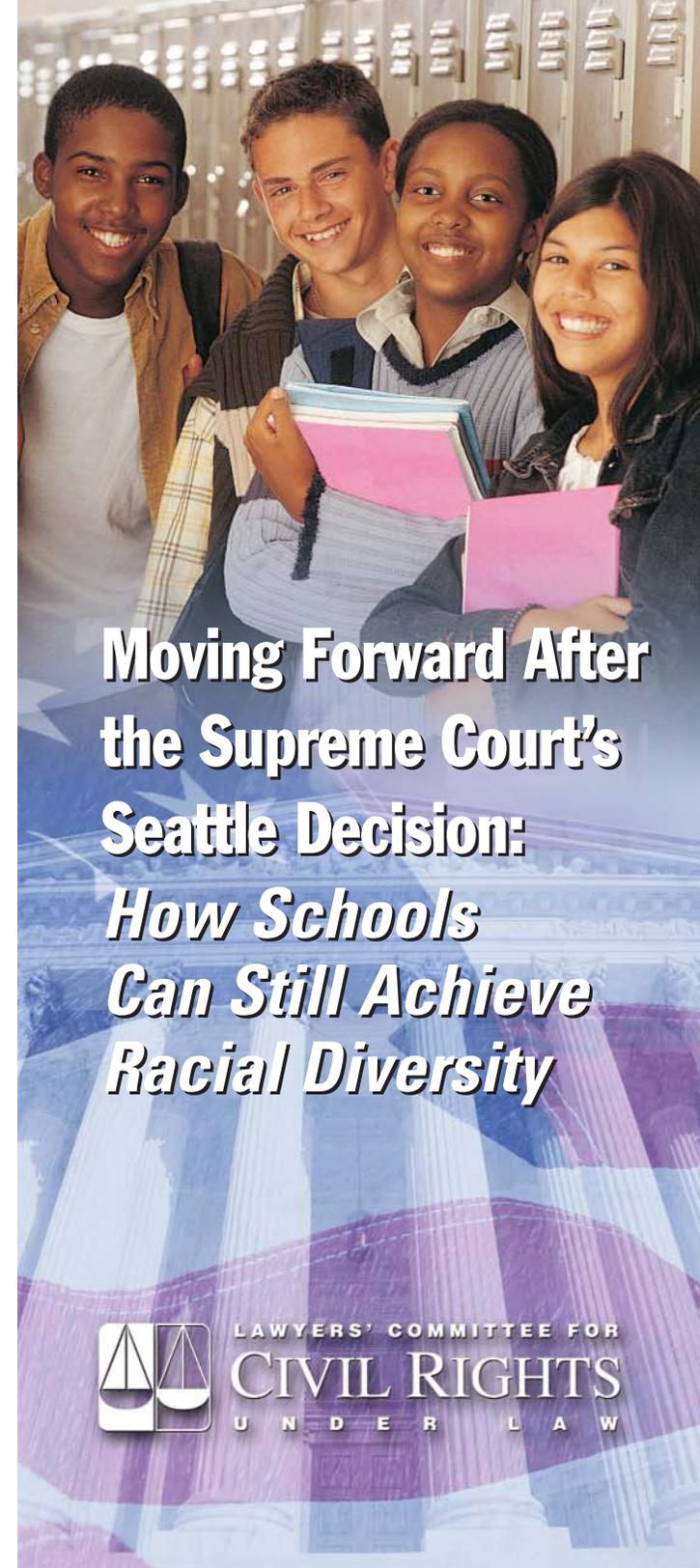
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Moving Forward After the Supreme Court's Seattle Decision: *How Schools Can Still Achieve Racial Diversity*



LAWYERS' COMMITTEE FOR
CIVIL RIGHTS
UNDER LAW

What The Supreme Court Actually Said

On June 28, 2007, the U.S. Supreme Court issued an extremely important ruling in two cases that will affect public schools across the country and the legacy of *Brown v. Board of Education*. At issue in these cases was whether voluntary policies that used race as a factor in assigning students to public schools were constitutional.

By a narrow 4-1-4 split decision, the Court struck down the racial diversity programs in Seattle, Washington and Louisville, Kentucky, declaring them unconstitutional.

However, in a positive sign for the future, a majority of the Justices, including the controlling swing vote of Justice Anthony Kennedy, acknowledged that racial diversity does serve an important national interest. He further added that **school districts may pursue diversity through race-conscious methods.**

What Do School Districts Do Now?

- *First and foremost, school districts should not panic. In the past, courts have given local districts a reasonable period of time to comply with new orders, but planning for 2008 could begin in the Fall of 2007.*
- *Any changes to school diversity plans should be made after close consultation with attorneys and civil rights experts who possess knowledge about the experiences of other school districts and the efficacy of their various policies.*
- *School districts should take the time to analyze the ruling and consider what changes, if any, they need to make to their assignment plans that will still create diverse classrooms.*

Are There Other Ways To Promote Diversity Without Considering Race In School Assignments?

Yes. Justice Kennedy's opinion specifically said that school districts may do the following:

- *Place a school in a certain location to attract students from diverse neighborhoods*
- *Create school attendance zones with the race and ethnicity of the neighborhoods in mind*
- *Conduct targeted recruitment of students and teachers to certain schools.*

In addition, some school districts have used family income as a factor in school assignments to avoid the creation of high-poverty schools.

The good news for supporters of school integration is that school authorities can continue to promote racial and ethnic diversity within the school system as long as race is not the sole factor in the final school assignment decision.

How Will This Decision Affect My Local Community?

The responses from local school districts across the country will be based on each district's unique demographics, history, and individual circumstances. For example,

- *School districts that have been voluntarily using race as a factor in achieving diversity might need to develop new methods for avoiding racial segregation.*
- *Communities currently under a court order to desegregate will likely still need to comply with that previous order.*
- *States with racial imbalance laws may also need to evaluate their programs.*

However, many school districts - especially those in urban areas - exist in racial isolation and are not impacted by the Court's ruling.

Why Is Integration Still Important?

The message of integration in *Brown v. Board of Education* still has value today. More than five hundred social scientists recently informed the U.S. Supreme Court about the vast educational benefits of racially diverse schools. The scientists highlighted the following facts:

- *Graduation rates for black and Latino students tend to be higher in integrated schools*
- *Low graduation rates are strongly linked with racial segregation and high poverty levels*
- *In diverse schools, students of different racial and ethnic backgrounds interact, breaking down stereotypes and nurturing tolerance*
- *Students who attend diverse schools are more likely to live and work in diverse environments, have increased civic participation, and favor racially diverse schools for their own children.*

