

# The *Brown v. Board of Education* Decision: Resources for Grades 4 and 5

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OVER THE LAST 150 YEARS, the United States Supreme Court has made several rulings that have had lasting effects on the American public educational system. But no ruling has been more influential than the *Brown v. Board of Education Topeka, Kansas*, decision the Court handed down in 1954. This year marks the fiftieth anniversary of this seminal case involving school desegregation. Not only did this decision end the legal doctrine and myth of “separate but equal” opportunity for black citizens, it also set a precedent for equal access to education for other groups including women and individuals with mental and physical disabilities.

We recommend below some Internet sites that provide lesson activities that could be used in a fifth or sixth grade classroom. Students, through the analysis of primary and secondary sources on the Internet, can investigate the *Brown* decision and the lasting influence it has had on American public education and society. By analyzing primary and secondary sources on one or more of these selected web sites, students can gain a greater understanding of the

importance of *Brown v. Board of Education* decision and its relevance for us today.

## Historical Background

In the original *Brown v. Board of Education Topeka, Kansas* case (before it rose to the level of the Supreme Court), Linda Brown’s father, Rev. Oliver L. Brown, filed suit (along with twelve other African-American families) concerning his children’s right to attend a local neighborhood school. Rev. Brown’s children had to walk five blocks to catch a bus that took them to a school fifteen blocks away, even though there was an elementary school only four blocks from their home. Blacks and whites lived in integrated neighborhoods, but African-American parents could not send their children to the neighborhood “whites only” school. The issue in Topeka, Kansas, was not about poor education and run down schools. (The schools there were built without regard to the race of the students who would populate the building. Teacher salaries were equal, and the African-American teachers in the

elementary schools were highly respected in the black community.) The issue in the Topeka case was purely “segregation per se,” which is why it attracted the attention of Thurgood Marshall. Marshall, a lawyer for the National Association for the Advancement of

Colored People (NAACP) — who would later become a U.S. Supreme Court Justice himself—argued the case before that Court. He based his argument on the fact that school segregation violated the Fourteenth Amendment of the Constitution, which states that all American citizens are entitled to due process and equal protection under the law. Marshall and others believed that “[s]egregated schooling, and in many cases no schooling for Blacks, was a simple extension of the policy of exclusion and disenfranchisement in the political arena.”<sup>1</sup> In a unanimous decision written by Chief Justice Earl Warren, the Court concluded that separate facilities are inherently unequal, violating the due process clause under the Fourteenth Amendment. This ruling overturned the Court’s own 1896 *Plessy v. Ferguson* decision, which argued that separate facilities for whites and blacks were acceptable so long as they were equal. The conflict had arisen over a Louisiana law calling for separate railway cars for Negroes. After the *Brown v. Board of Education* decision, the U.S. Supreme Court also called on all school authorities to enact plans for desegregation. However, this decision met with resistance in many parts of the country, north and south, and this resistance went on for years. While the *Brown v. Board of Education* decision was made fifty years ago it has a lasting effect even today. Title IX (the landmark legislation that bans sex discrimination in schools, whether it is in academics or athletics) and other legislation related to education such as PL 94-142 (Education of All Handicapped Children Act) have their precedent in the *Brown* decision.

## Coming to PBS

### BEYOND BROWN

WEDNESDAY, MAY 12, 10:00 P.M. ET

To mark the 50th anniversary of the historic Supreme Court ruling *Brown v. Board of Education*, Emmy-winning director Stanley Nelson examines the legal battle that ended the nation’s system of sanctioned apartheid, and the impact and influence of that decision. The program also explores contemporary debates on student tracking, high-stakes testing, school financing and busing. A mix of activists and celebrities speak about the achievements and unfulfilled promises of *Brown*.



## Recommended Websites

The following recommended websites and activities are organized according to topic or purpose. The selected websites (except for the first one listed) may be used with fifth and sixth grade students with little or no adaptation.

### Background for Teachers

[www.archives.gov/digital\\_classroom/lessons/brown\\_v\\_board\\_documents/teaching\\_act](http://www.archives.gov/digital_classroom/lessons/brown_v_board_documents/teaching_act)

Prior to beginning a lesson or unit of study on the *Brown v. Board of Education* decision, the teacher may wish to visit this site, created by the National Archives Records Administration, which provides teachers with excellent background information on the case, suggests teaching activities and links to primary source documents along with document analysis worksheets, and offers ideas for cross-curricular connections.

### Background for Students

[brownvboard.org/actvtybk/bckgrd.htm](http://brownvboard.org/actvtybk/bckgrd.htm)

[www.landmarkcases.org/brown/background1.html](http://www.landmarkcases.org/brown/background1.html)

[www.pbs.org/jefferson/enlight/brown.htm](http://www.pbs.org/jefferson/enlight/brown.htm)

These sites offer some context and background to the *Brown v. Board* case in language understandable to upper elementary students. The four sites presented here range, in the order presented, from very easy to challenging reading. Concepts such as segregation, equal access, and constitutionality are discussed along with connections to *Plessy v. Ferguson* and the Fourteenth Amendment. Key individuals related to the case are also introduced.

### Biographical Information

[brownvboard.org](http://brownvboard.org)

[www.landmarkcases.org/brown/warren.html](http://www.landmarkcases.org/brown/warren.html)

Students should read biographical information on at least three of the key individuals involved with the *Brown v. Board of Education* case—Linda Brown (and her father), Thurgood Marshall, and Earl Warren. Students may wish to investigate the circumstances that brought these three people together at this time and how this case would later influence their lives. It is interesting that Linda Brown was receiving, all along, a high quality education at the public school for black children. The

issue in the Kansas case was not quality of education. Challenge students to investigate what the original *Brown v. Board* case in Kansas was about.<sup>2</sup>

### *Plessy v. Ferguson*

[www.oyez.org/oyez/resource/case/307/](http://www.oyez.org/oyez/resource/case/307/)

[www.bgsu.edu/departments/acs/1890s/plessy/plessy.html](http://www.bgsu.edu/departments/acs/1890s/plessy/plessy.html)

[www.maxwell.syr.edu/plegal/scales/plessyvis.html](http://www.maxwell.syr.edu/plegal/scales/plessyvis.html)

[memory.loc.gov/ammem/today/may18.html](http://memory.loc.gov/ammem/today/may18.html)

[www.landmarkcases.org/plessy/14th\\_10th\\_](http://www.landmarkcases.org/plessy/14th_10th_)

[amendments.html](http://www.landmarkcases.org/plessy/14th_10th_amendments.html)

To better understand the impact of the *Brown v. Board of Education* decision and the changes it had on American society, students need to have some grasp of the *Plessy v. Ferguson* Supreme Court decision of 1896. Any of the four sites provided here gives students helpful abstracts and summaries of the case, a cartoon that reviews the facts of the case, and pictures of Jim Crow conditions that were legitimized. The last site helps students make connections between court cases (*Plessy v. Ferguson* and *Brown v. Board of Education*) and the 14th and 10th Amendments to the Constitution.

### The Fourteenth Amendment

[memory.loc.gov/const/amend.html](http://memory.loc.gov/const/amend.html)

[www.law.cornell.edu/constitution/constitution.amendmentxiv.html](http://www.law.cornell.edu/constitution/constitution.amendmentxiv.html)

[campus.northpark.edu/history/WebChron/USA/14Ammend.html](http://campus.northpark.edu/history/WebChron/USA/14Ammend.html)

Supreme Court Justices relied on their interpretation of the 14th Amendment to help make a ruling on segregation in *Plessy v. Ferguson* and *Brown v. Board of Education*. The first two sites connect students to this critical amendment and the third site provides additional information on the history of how the various interpretations of the amendment were made. Students should focus on Section 1 of this amendment. What does the concept of “equal protection of the laws” have to do with educational opportunity? In what way were the Brown children (and the children in other cases in the class action lawsuit that went to the Supreme Court) being deprived of “life, liberty or property, without due process of law?” How could justices of the Supreme Court, serving fifty years apart, interpret

this amendment so differently? These are excellent issues to discuss with students after they have been challenged to read material at these websites and perform some of the suggested activities.

### Additional Extension Activities

Street Law<sup>3</sup> and The Supreme Court Historical Society have put together a teacher-friendly website that analyses Supreme Court decisions and provides resources for teachers to better teach the concepts associated with each case ([www.landmarkcases.org/brown](http://www.landmarkcases.org/brown)). We have mentioned above several of the *Brown v. Board of Education* links from this site. Other links and ideas from this site include an examination of key excerpts from the *Brown v. Board* decision, an activity titled, “Does Treating People Equally Mean Treating Them the Same,” and several political cartoons related to the *Brown v. Board of Education* decision along with guiding questions to help students better interpret their meaning. Finally, the U.S. Department of Education has established a “*Brown v. Board of Education* 50th Anniversary Commission” ([www.ed.gov/about/bdscomm/list/brownvboard50th](http://www.ed.gov/about/bdscomm/list/brownvboard50th)). Students could be given the assignment of drafting a letter to the Commission suggesting ways that public schools could celebrate the 50th anniversary of this landmark Supreme Court decision, or describing their own classroom event.<sup>4</sup>

### Notes

1. Edward Stevens, Jr., George H. Wood, James J. Sheehan, *Justice, Ideology, and Education: An Introduction to the Social Foundations of Education*, 4th ed. (New York: McGraw-Hill, 2002), 10.
2. Loraine Moses Stewart, “The ABCs of *Brown v. Board of Education*: A Primer for the 50th Anniversary,” *Social Studies and the Young Learner* 16, no. 3 (January/February 2004): 10-13.
3. Street Law is a nonprofit organization dedicated to promoting learning about democracy, civics, and human rights ([www.streetlaw.org](http://www.streetlaw.org)).
4. A longer listing of recommended websites on the topic is provided in Alonzo N. Smith, “Separate Is Not Equal: *Brown v. Board of Education*—A Guide for Study and Discussion,” *Social Education* 68, no. 2 (March 2004).

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