



CFJ UPDATE

JANUARY 2004

Californians for Justice Education Fund is statewide grassroots organization bringing people of color, young people, and poor people together by leading large-scale community education efforts, training a new generation of grassroots civil rights leaders, and mobilizing public support for major public policy change in California.

50 Years After Brown vs. Board

May 17th, 2004 marks the 50th anniversary of the historic Brown vs. Board of Education decision by the US Supreme Court. The decision marked a decades long struggle by civil rights advocates to strike down legal segregation and ensure equal educational opportunities for all students.

Segregation: The Law of the Land

Before Brown vs. Board, segregation was the law all the way from school districts to states and the federal government. Particularly in the South, but in the North and the West as well, Black students and other students of color were denied entry into all-white schools. Students of color were sent to segregated schools with fewer resources and terrible school conditions. For high school, college, or professional schools, many Black students had no school to go to at all.

Overcoming Enormous Obstacles

To fight segregation, civil rights advocates had to overcome a climate of fear brought on by lynchings and threats of

job loss to any African-Americans that spoke out. They also had to overcome the 1896 Supreme Court ruling in Plessy vs. Ferguson which said that as

tant precedents that separate was in fact unequal.

They then turned their attention to segregation in grade schools, and filed a number of lawsuits in Kansas, Delaware, Virginia, and South Carolina that were combined in the Brown vs. Board of Education decision. The NAACP ultimately showed that separate schools were inherently unequal and harmful. Even if facilities and other tangible resources were equal—which they were not—the court found segregation to be unconstitutional.

The Lasting Significance of Brown

As bad as school conditions and discrimination are today, Brown vs. Board was a major breakthrough. It struck down the enforcement of segregation under the law. It led to integration in schools and better educational opportunities. It also helped spark the civil rights movement and major breakthroughs for equal rights in voting, transportation, jobs, housing, and more.

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long as "separate but equal" facilities existed, segregation was acceptable.

The Civil Rights Strategy

To fight segregation in education, civil rights lawyers at the NAACP Legal Defense Fund began a decades long strategic campaign that first challenged segregation in law schools and professional schools, where they won impor-

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Brown v. Board of Education

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While the focus of the Brown vs. Board case was on African-American students, segregation affected Asian, Mexican-American, and Native students as well.

But desegregation faced many obstacles from racist states and school districts.

Elmetra Patterson, a long-time CFJ member in Richmond, grew up in Mississippi. She graduated from segregated Louisville Colored High School a full *ten years* after the Brown decision. “Laws are put on the books, but not enforced, says Elmetra. “Our schools were not desegregated until 1971.”

Even after schools were officially

desegregated, considerable inequalities persists in schools, especially in terms of opportunities and resources.

Nevertheless, the impact of the Brown decision is profound. Yvonne Tran, a recent high school graduate and member of the CFJ Board says that many students today *do* know about the Brown decision. “It means a lot to me. What would have happened without Brown? Would I go to an all Asian school? Would I go to school at all? Racism would have been worse than now. At least we can now experience different cultures in school and learn from each other.”

Educational Inequalities Today

“Since the late 1980’s to now, the courts have not been favorable to the vision of Brown vs. Board,” states Luis Alejo, an attorney and a community activist with the Watsonville Student Empowerment Project (STEP). “Courts are no longer enforcing desegregation. We are seeing more and more inequality and schools are extremely racially segregated.”

In Watsonville, where Luis lives and works, the school board of the Pajaro Valley District is proposing splitting the district in two: one in the north, Aptos, that would be 80% white, and one in the south, Watsonville, that would be 92% students of color, mainly Latino. STEP and others are fighting these

Then and Now...

School conditions for African American students and other students of color have obviously improved since 1954, yet students in California still face clearly unequal and inadequate conditions in attempting to get a quality education.

School conditions in 1954

School Facilities

While many white students attended schools with full amenities, including gyms, auditoriums, and nurse’s offices, many students of color attended one-room schoolhouses or overcrowded schools.

Teachers

Black teachers teaching in segregated schools were paid less for the same work as white teachers. There were also many fewer teachers in schools for Black children. In one case, white schools had a teacher for every 28 children, white Black schools had one teacher for every 47 children.

Funding and Resources

States with segregation spent two to ten times more for white students than for students of color. Districts also provided resources to whites that were denied students of color, such as a longer school year and transportation to school.

Segregation & Discrimination

Segregation was enforced by law. Students of color would often have to travel 30 miles to attend a segregated school instead of walking just a few blocks to attend a school reserved for whites.

California schools in 2003

Students of color and low income students in California schools contend with bathrooms that are broken, dirty, or locked. Many face crumbling buildings and rodent infestations.

Not only do California schools lack enough qualified teachers, but students of color, low income, and English language learner students are taught by a much higher percentage of underqualified teachers. Furthermore, many of those same students have classes with long-term substitute teachers.

While some schools in California provide students with laptop computers, other schools lack textbooks and other basic educational materials. The schools that have the greatest need—high percentages of poor students—generally have the least resources.

Schools in California are increasingly segregated, with African American, Latino, immigrant, and low income students in the most under-resourced schools. Rates of expulsion and suspension are unequally distributed, as are access to college prep classes.

proposals and working for equal, quality education.

Comparing the South to California, Elmetra Patterson adds, "I saw a lot more overt racism in the South. Here in California it is more subtle. It's institutional racism. There is a lot of plain old segregation here in public schools and private schools and in housing patterns."

While segregation under the law has ended, discrimination in housing patterns has resulted in widespread segregation in public schools. Within schools, students of color are placed in special education, denied college

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—Luis Alejo, Watsonville Student Empowerment Project

prep classes, and suspended and expelled at far higher rates. Facing these conditions, thousands of students are pushed out of schools.

CFJ's youth members and allied organizations across the state have been organizing against these unequal conditions and fighting against discrimination. Across the state, students and families are fighting for better school facilities, textbooks, credentialed teachers, and adequate funding.

The **Campaign for Quality Education**, a CFJ-led coalition of over 100 organizations in California, is **continues...**

The Legal Struggle Continues: Williams v. California

On May 17, 2000—the 46th anniversary of *Brown v. Board of Education*—a class action lawsuit was filed on behalf of California's public schoolchildren in an effort to hold the state responsible for providing the basic conditions necessary for an education. The suit argues that the State is failing to provide thousands of public school students—particularly those in low-income communities and communities of color—with the bare minimum resources required for an education, such as textbooks, trained teachers, and safe and clean facilities.

The State's failure to provide these basic conditions to all public school students in California violates the state constitution, as well as state and federal requirements that all students be given equal access to public education without regard to race, color, or national origin.

The specific conditions that the lawsuit seeks to address include the following:

- Lack of instructional materials and basic resources: Not enough textbooks or basic instructional materials.
- Inadequate instruction: High percentages of non-credentialed teachers and overuse of long-term substitute teachers.

- Massive overcrowding: Cramped, makeshift classrooms and classes without enough seats and desks for every student.
- Inadequate, unsafe, and unhealthy facilities: Locked or broken and dirty bathrooms, hazardous facilities and vermin infestations.



How has the California's government responded to these appalling conditions? First ex-governor Gray Davis tried to shift the blame to local school districts. Next, he hired a high-priced law firm, O'Melveny & Myers, to fight the lawsuit. So far, they have spent \$13 million of taxpayer money to pay for the law firm's services!

The company's lawyers have also bullied and intimidated students who were testifying about the poor conditions they face, making one cry and refusing to delay testimony for another whose mother had just been killed. Our new governor is known for being a "tough guy" in his movies, but hopefully he will show

more compassion than Davis and works to settle this lawsuit for basic rights.



Brown v. Board

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challenging these conditions. Last spring, an 11-city bus tour highlighted educational inequality and challenged the Exit Exam in California.

Among the many students speaking out during the bus tour was Manuel Saravia, a high school student member of the **Coalition for Educational Justice** in Los Angeles, who was quoted in the Los Angeles Times: "Our classes are so overcrowded. Our toilets are always dirty and broken. Being there doesn't make me feel like learning. It makes me feel like leaving."

In Fresno, high school students fed up with these unequal conditions organized a 500-student march from their school to district headquarters, demanding desks, working bathrooms, textbooks, and more. Their protest has received widespread news coverage and has led to a campaign to win basic educational rights for students in Fresno. The problems in Fresno and Los Angeles are not isolated, they are part of a pattern of neglect that echoes the Brown vs. Board lawsuit 50 years ago.

Organizing for Educational Justice in 2004

As we enter the Brown vs. Board anniversary year, CFJ will be strengthening its organizing to fight for educational justice. CFJ will be working with allies to commemorate the anniversary of Brown vs. Board. We will make sure the history and the lessons of Brown are available to a new generation of activists and advocates working for racial justice in education.

At the state level, CFJ will be work-

ing to tackle the inadequate funding and resources available in our schools. As California's prison system continues to grow, schools face dismal conditions and colleges are turning students away.

While the state has delayed the Exit Exam to the Class of 2006, students still attend schools where they are denied the opportunity to learn, lacking books, credentialed teachers, and basic supplies. CFJ will also be working to tackle the many forms of racial discrimination and tracking within schools: unequal school suspensions, inadequate college preparation, discrimination against English learner and immigrant students, and the high drop out rates of students of color.

Locally, CFJ youth and parents and their supporters will be working on campaigns to challenge poor educational conditions in their communities. In San Diego, Long Beach, Fresno, Oakland, and San Jose where CFJ offices are located, students will be working to challenge the unequal educational opportunities in their schools and districts.

Building on Prop 54

Organizing for equal education would not be possible without data on race. Segregation and unequal access to resources are measured by data. If it had passed, Proposition 54 would have banned this information and led to greater inequality.

Building on the defeat of Prop 54 this past October, CFJ is continuing to work with our partners in the **Coalition for an Informed California** to fight for racial justice and a progressive agenda. The Coalition is now exploring ideas for turning back the tide of right-wing attacks and fighting to expand equal opportunity in California.

From the Brown v. Board Ruling:

"We must consider public education in the light of its full development and its present place in American life throughout the Nation...

Today, education is perhaps the most important function of state and local governments...

It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment.

In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms."

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To find out more about Brown vs. Board, visit:

www.brownvboard.org

*Much of the information in this newsletter about the Brown vs. Board decision comes from **Simple Justice** by Richard Kluger, published in 1975.*