

U.S. Supreme Court Turns Back the Hands of Time



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As schools across the country were nearing the end of the 2006–2007 academic year or moving full-steam ahead into their summer breaks, the U.S. Supreme Court handed down a decision that has, in effect, turned back the hands of time. On June 28, the Court ruled 5–4 that school-assignment plans being used in Louisville, KY, and Seattle, WA, were unconstitutional because they used race as a basis for placing students in district schools.

The Louisville plan required that public schools reflect the racial makeup of Jefferson County, KY, which is 60% White and 38% Black. The mother of a five-year-old boy sued, saying that her son had been denied admission to the school closest to their home because of the plan. The Seattle plan used race as a type of “tie-breaker” if the district received more applications than available spaces to those schools not considered “racially balanced.” In 2001, parents in that district sued in protest when their children were denied admission to their neighborhood schools.

It cannot be denied that the opinions of parents should be considered in any school or community decision, but at what cost? We have made great strides in this country to improve the quality of education for every child. But make no mistake—we still have a lot of work to do. The United States is becoming increasingly more diverse—this is not just a Black and White issue—and racial diversity in schools is more important than ever.

How are we as a nation going to compete on a global scale if we are not willing to even recognize the need for diversity in our elementary and secondary schools? More than 500 social scientists from 42 states and the District of Columbia signed on to an amicus brief in support of the Louisville and Seattle school districts, citing research results that show the benefits of racially diverse K–12 schools. The brief states:

The body of evidence that has developed since the Court declared government-sanctioned school racial segregation unconstitutional in *Brown v. Board of Education*, 347 U.S. 483 (1954), supports three inter-related conclusions:

- (1) racially integrated schools provide significant benefits to students and communities,
- (2) racially isolated schools have harmful educational implications for students, and
- (3) race-conscious policies are necessary to maintain racial integration in schools.

In the majority opinion, Chief Justice John Roberts wrote, “The way to stop discrimination on the basis of race is to stop discriminating on the basis of race.” Handing down a decision that could very well allow our schools to become as segregated as they were before the *Brown vs. Board of Education* decision is certainly not going to help end discrimination. Our interaction with one another is one of the most effective ways to gain a better understanding of our similarities and our differences and to see that, in the grand scheme of things, we all want the same things out of life.

Districts across the country grapple with trying to find the best way to diversify their schools every year. Sadly, many districts don’t make the effort, settling into the status quo and not giving a second thought to the detriment that this racial isolation is causing. It is for this very reason that the *Brown* decision was handed down more than 50 years ago.

Certainly, as in the case of the Louisville mother, it seems unreasonable for a child to not be able to attend the neighborhood school if that is what the parent desires. It may even be called unfair. But we must all ask ourselves a question: How is it possible that more than 50 years after the *Brown* decision, we must be told to diversify our public schools? The fact that there is still isolation between the races in this country—a hesitant willingness to truly get to know one another on a deeper level—is reason enough to keep plans like those in Louisville and Seattle in place. We’ve been making steady progress toward becoming a nation that truly embraces diversity. But if we continue to fail to instill this value in the youngest among us, history is doomed to repeat itself. That is a chance that none of us should be willing to take.