



# The Living Legacy of *Brown v. Board of Education*

The U.S. Department of Justice's Civil Rights Division has worked for decades to ensure equal educational opportunities for all of America's schoolchildren, as promised by the Supreme Court's landmark decision in *Brown v. Board of Education*. This year, we recognize the 70th anniversary of *Brown's* fundamental guarantee that education is a "right that must be made available to all on equal terms," and we renew our enduring commitment to confront school segregation and race discrimination through enforcement of Title IV and Title VI of the Civil Rights Act of 1964.

*"School desegregation and equal access to quality education was critically important nearly 70 years ago when the Supreme Court decided Brown v. Board, and it is critically important today," said Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division.*

## **DISMANTLING RACIAL SEGREGATION IN PUBLIC SCHOOLS:**

While *Brown* was a transformative moment in American history and in the lives of millions of students across the country, too many students are still waiting for its promise to be fulfilled. The Division continues to enforce desegregation orders issued by federal courts against school districts that were formerly segregated by law.

*"Desegregation' – The assignment of students to public schools and within such schools without regard to their race, color, religion, sex, or national origin . . . ." Title IV of the Civil Rights Act of 1964, 42 U.S.C. § 2000c(b).*

As of today, the Division monitors more than 130 school districts under desegregation orders to ensure their nearly 900,000 students across more than 1,500 schools can access the building blocks of educational success. The Division has secured significant recent victories and negotiated new court orders to further desegregate school districts and expand access to extracurricular activities, magnet programs, and gifted and advanced education.

*Attracting a diverse student body to a historically Black school zone in St. Martin Parish, Louisiana:* The Division secured a consent order requiring [St. Martin Parish Public Schools](#) to promote a majority-to-minority student transfer program and develop a robust magnet school to facilitate desegregation.

*Improving and expanding educational opportunities in Fayette County, Tennessee:* The Division secured a consent order requiring [Fayette County School District](#) to ensure that all students, including Black students, are properly identified for enrollment in gifted programming and receive gifted services in a nondiscriminatory manner. The district is also revising student discipline policies to prevent racial discrimination and support a positive climate, including by ending the use of corporal punishment.



*Expanding opportunities in Madison County, Alabama:* The Division secured a new consent order in a desegregation case in [Madison County School District](#), addressing findings that: Black students faced unnecessary barriers to participating in gifted and advanced programs, that they were subjected to racially disparate discipline, and that the district's recruitment and hiring processes left several schools without a single Black faculty member.

*Ensuring nondiscriminatory faculty hiring and reducing racial disparities in student transportation in Nettleton, Mississippi:* The Division secured a consent order requiring [Nettleton Line Consolidated School District](#) to improve efforts to recruit and retain Black teachers, implement and monitor a nondiscriminatory faculty hiring policy, and eliminate or reduce racially identifiable student transportation routes. The order successfully generated stronger and more inclusive policies and procedures for the District's hiring rubrics, hiring committees, and teacher recruitment and retention; resulted in an increase in the number of Black faculty members in the District's schools; and decreased racial disparities in student transportation.

*Holding a charter school accountable for violating a desegregation court order in Concordia Parish, Louisiana:* The Division secured two victories in the Fifth Circuit Court of Appeals after a charter school violated terms of a consent order, threatening progress toward desegregation in the [Concordia Parish School District](#).

*Securing fair and nondiscriminatory student discipline practices in South Bend, Indiana:* The Division is monitoring the [South Bend Community School Corporation](#)'s compliance with a court ordered stipulation that requires the Corporation to revise its disciplinary code of conduct and improve internal monitoring of its discipline data to ensure nondiscrimination in its student disciplinary practices.

## **PROTECTING STUDENTS FROM RACIAL HARASSMENT:**

The Division addresses racial harassment and other forms of discrimination that limit opportunities for students of color by enforcing Titles IV and VI of the Civil Rights Act of 1964.

*Addressing racial discrimination in Highland, Kansas:* The Division entered into a settlement agreement with [Highland Community College](#) to resolve allegations that Black students living on campus experienced discriminatory treatment in discipline, housing, and interactions with campus security officers. The agreement requires the college to improve the fairness and transparency of disciplinary proceedings, ensure consistent and nondiscriminatory interactions between students and campus security personnel, and develop an effective response to students' complaints of racial discrimination.

*Preventing the discriminatory discipline of Black students in Toledo, Ohio:* The Division entered into a settlement agreement with [Toledo Public Schools](#) to resolve allegations the district discriminated against Black students in its use of in-school suspension, expulsion, and referrals to law enforcement agencies. The agreement and its 2023 extension require the district to expand its use of positive behavior supports, and regularly review discipline incidents to ensure nondiscriminatory treatment of Black students.

*Remedying severe racial harassment of Black and multi-racial students in Madison County, Kentucky:* The Division entered into a settlement agreement with [Madison County Schools](#) to resolve allegations the district failed to respond when Black and multi-racial students were subjected to race-based harassment by their peers, including use of the N-word and other racial slurs, and taunts using Confederate imagery. The agreement requires significant institutional reforms to recognize and address racial harassment.



*Protecting Black students from peer-on-peer harassment in Whitingham, Vermont:* The Division entered into a settlement agreement with [Twin Valley School District](#) in Vermont to resolve complaints of student-on-student harassment targeting Black and LGBTQI+ students. The agreement requires the district to modify policies and procedures to prevent and address peer harassment, undertake periodic assessments of school climate, implement programming to remedy hostile educational environments, and improve training for district employees who receive, investigate, or resolve complaints of harassment.

*Remedying severe racial harassment of Black and Asian-American students in Farmington, Utah:* The Division entered into a settlement agreement with [Davis School District](#) in Utah to address serious and widespread racial harassment of Black and Asian-American students, including hundreds of documented uses of the N-word, derogatory racial comments, and physical assaults targeting district students at dozens of schools. The Division also found the District disciplined Black students more harshly than their white peers for similar behavior, and denied Black students the ability to form student groups while supporting similar requests by other students. The agreement requires significant institutional reforms to address the racially hostile environment and discriminatory discipline practices.

## **PROVIDING RESOURCES TO ADVANCE OPPORTUNITY AND PROTECT ACCESS TO THE CLASSROOM:**

The Division also issues guidance and other resources to help schools prevent and address race discrimination under Titles IV and VI of the Civil Rights Act of 1964.

Jointly issuing, with the Office for Civil Rights at the U.S. Department of Education, a [Dear Colleague Letter](#), and [Questions and Answers](#), to aid colleges and universities in understanding the Supreme Court's recent decision in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* and *Students for Fair Admissions, Inc. v. University of North Carolina et al.* The resources help institutions of higher education to continue to create campuses that are racially diverse and that include students with a range of viewpoints, talents, backgrounds, and experiences.

Jointly releasing, with the U.S. Department of Education, a [Resource on Confronting Racial Discrimination in Student Discipline](#). The Resource demonstrates the departments' ongoing commitment to the vigorous enforcement of laws that protect students from discrimination on the basis of race, color or national origin in student discipline.

## **HOW TO REPORT A CIVIL RIGHTS VIOLATION:**

The Civil Rights Division enforces federal laws that protect the right of all people, regardless of race, color, sex, religion, national origin, disability, familial status, or citizenship status, so that they may live, work, and learn freely without discrimination. For more information visit [justice.gov/crt](https://justice.gov/crt).

If you believe that you or someone else experienced race discrimination, you can report a civil rights violation online at [civilrights.justice.gov](https://civilrights.justice.gov).