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Brown Anniversary Sparks Renewed Activism

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By Karla Scoon Reid

Marshaling talk into action can prove elusive.

But with advocacy groups, philanthropies, and universities nationwide hosting commemorations and panel discussions marking this May's 50th anniversary of the *Brown v. Board of Education of Topeka* decision, activists hope a unified front will emerge to reinvigorate the battle for equitable schools.

Capitalizing on these celebrations, civil rights and education advocates say, could help finish the work of *Brown*—the 1954 U.S. Supreme Court decision that found separate schooling for blacks and whites unconstitutional.

"It's one thing to have these events and for people to feel good during these events," said Eric J. Cooper, the president of the National Urban Alliance for Effective Education. "But out of that cacophony could come a symphony, if we have the right conductor."

The confluence of the *Brown* anniversary, the 40th anniversary of the Civil Rights Act of 1964, and the presidential election could breath life into federal legislation, some observers say, including a proposed "Student Bill of Rights" and a constitutional amendment guaranteeing the right to an "equal, high- quality" public education. New efforts are being touted by the NAACP and the alliance as well.

"In a way, it's hoping for a better day," said Jack Jennings, the director of the Center on Education Policy, a Washington-based research and advocacy group.

'Lift All Schools Up'

Much of the activity appears to involve the Student Bill of

Rights, proposed federal legislation introduced by U.S. Rep. Chaka Fattah, D-Pa., last year. The bill is the third version of a measure he introduced in Congress in 1999.

["Black State Lawmakers Target 'Gap,'" Dec. 5, 2001.](#)

Meanwhile, Rep. Jesse L. Jackson Jr., D-Ill., introduced a proposed constitutional amendment, House Joint Resolution 29, in 2001 to try to guarantee every American the right to a public education of equal, high quality.

["Racism and the Achievement Gap,"](#) Commentary, Aug. 8, 2001.

So far, 180 lawmakers—179 Democrats and one Independent—have signed on as co-sponsors of Mr. Fattah's measure in the Republican-controlled House of Representatives. In addition, 32 organizations, including the American Federation of Teachers and the U.S. Conference of Mayors, have pledged their support.

["Unmet Promise: Raising Minority Achievement,"](#) March 15, 2000, from our series ["The Achievement Gap."](#)

Mr. Fattah's bill, HR 236, would require states to equalize educational resources—but not funding—in seven areas, including teacher quality and class size. States would report the disparities that exist in educational resources among their districts and draft remediation plans under the proposed law.

States would be held accountable for closing such gaps between districts by the threat of having federal dollars earmarked for administrative purposes withheld from them.

"We're only asking for a confession on disparities and the effort at redemption," Mr. Fattah said in a telephone interview this month. "Take the highest-achieving district in your state and lift all schools up to the same level of resources." Confronted with evidence of the inequities in education resources—since schools are largely funded with local property taxes—Rep. Fattah argues, the federal government would be forced to ante up.

Mr. Fattah is pushing for a vote on his bill near May 17, the anniversary of the *Brown* decision. Sen. Christopher J. Dodd, D-Conn., will introduce the bill in the Senate and is seeking a Republican co-sponsor.

"We want to put some elbow grease behind [Mr. Fattah's] bill in this session of Congress," said William L. Taylor, the chairman of the Citizens' Commission on Civil Rights and a vice chairman of the Leadership Conference on Civil Rights, both based in Washington.

Mr. Fattah met with members of the conference, a coalition of 180 advocacy groups, this month. The Student Bill of Rights proposal aims to address criticism that the federal No Child Left Behind Act is not fully funded by making states responsible for providing adequate education resources for poor students.

"It's part of the unfinished work of *Brown* and the unfinished work of school reform," Mr. Taylor added.

Both Republican and Democratic lawmakers are uncomfortable with Mr. Fattah's legislation, said David Schnittger, the spokesman for the Republican majority on the House Education and the Workforce Committee, because it would open the door

for lawsuits.

Mr. Schnittger said lawmakers on both sides of the aisle invoked the spirit of *Brown* in passing the bipartisan No Child Left Behind law, the 2001 measure reauthorizing the Elementary and Secondary Education Act. The revised law requires states to close achievement gaps between students of different racial and ethnic backgrounds along with other subgroups. "The core of No Child Left Behind is a civil rights matter," Mr. Schnittger said.

Constitutional Right?

In his Capitol Hill office last week, Rep. Jackson argued that without his proposed constitutional amendment—which would give Congress the power to enact legislation to implement it—the federal government's role in education always would be limited. Mr. Jackson's resolution has 27 co-sponsors, all Democrats.

If Congress can entertain the notion of a constitutional amendment defining marriage, he said, "why is the right that I'm fighting for, to benefit education, so crazy?"

Nancy Keenan, the education policy director for People for the American Way, a Washington-based advocacy group, said she believes that the No Child Left Behind law opens the door for Rep. Jackson's amendment and Rep. Fattah's legislation.

"The federal government can't interject itself without the financial commitment too," she said.

But more involvement by the federal government is not necessarily positive, argued David F. Salisbury, the director of the Center for Educational Freedom at the Cato Institute, a Washington think tank.

"The Constitution is important in setting limits about what the federal government should and should not do," he said.

While the National Association for the Advancement of Colored People is lending its support to both Democratic lawmakers' legislative efforts, the civil rights organization may mount its own initiative in the courts and on Capitol Hill.

The NAACP's *Brown v. Board* Equity Commission boasts a membership of 50 national legal, education, and civil rights organizations. John H. Jackson, the NAACP's national director of education, said the commission has been crafting legal and legislative strategies to complete the work of *Brown*.

Mr. Jackson, who is not related to Rep. Jackson, said the organization was working to devise a "modern, contemporary" strategy that takes into account high-stakes testing and the federal education mandates.

The NAACP plans to host an "education summit" in Topeka,

Kan., in May. Members of the commission and representatives from state education departments will review efforts to close the achievement gap and release a report.

Meanwhile, the National Urban Alliance for Effective Education and the Eleanor Roosevelt Center are looking to local school districts to be national models to show that minority children—given the right resources—can achieve at high levels.

Their two-year effort, "Eleanor and *Brown*," will include a series of regional forums and an Internet-based teacher seminar. The forums will be held at the Val-Kill, N.Y.-based Eleanor Roosevelt Center, a nonprofit organization dedicated to furthering human rights and equal opportunity.

Mr. Cooper of the National Urban Alliance said activists hope to encourage school districts to build on activities already under way across the country to address the lagging academic achievement of minority students.

"We're trying to look at education not just as a civil right," he said, "but a human-justice right."

Coverage of the 50th anniversary of the Brown decision is underwritten by grants from the Ford and Rockefeller foundations.

ON THE WEB

The [National Urban Alliance for Effective Education](#), a group working to eliminate racial achievement gaps, describes some of its [projects](#).

The [NAACP](#) offers resources on the *Brown* [anniversary](#).

In a December 2003 [report](#), the [Citizens Commission on Civil Rights](#) charges that the Bush administration has "failed to come to terms with" the U.S. Supreme Court's July 2003 decision upholding some forms of affirmative action in school admissions.

The office of [U.S. Rep. Chaka Fattah](#), D-Pa., posts background on the "[Student Bill of Rights](#)," designed to provide "...all students access to the fundamentals of educational opportunity."

PHOTOS: U.S. Rep. Chaka Fattah, D-Pa., hopes his federal "Student Bill of Rights" will come to a vote near the ruling's May 17 anniversary.
—James W. Prichard/Education Week
