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The Legal Process to Desegregation in Public Schools And the Racial Divide in Rochester, New York

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The Legal Process to Desegregation in Public Schools

And the Racial Divide in Rochester, New York

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December 3, 2014

A thesis submitted to the Department of Education and Human Development of the State University of
New York College at Brockport in partial fulfillment of the requirements for the degree of Master of
Science in Education

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Abstract:

This research examines the legal process to desegregation in the United States throughout history. The focus is on the principles established during reconstruction and how they had a lasting impact on segregating public schools across the nation. The court cases leading up the landmark decision of *Brown v. Board of Education of Topeka* are also explored and broken down. The history behind the cases is then compared to the resurfacing issue of segregation in public schools following the Civil Rights movement with a primary focus on the City of Rochester and the surrounding suburbs.

Introduction:

Throughout United States history, African Americans and racial minorities have remained at a disadvantaged position to receive equal education based on laws enacted during the Reconstruction Era. The Thirteenth, Fourteenth, and Fifteenth Amendments enacted between 1865 and 1870 were established to ban slavery, give African Americans equal protection under the law and allow them the right to vote. Although these amendments should have ended the agonizing time of slavery for African Americans in the United States, a variety of laws and codes endorsed during the Reconstruction Era reinstated a period of quasi slavery and continued the mistreatment of African Americans and minorities. This historiography will examine the Thirteenth, Fourteenth, and Fifteenth Amendment. It will then explore the *Plessy v. Ferguson* decision and how that decision enforced segregation in public places of the South. Then it will

examine several Supreme Court and District Court decisions between 1896 and 1954 that failed to overturn the infamous ruling of separate but equal in the United States.

The public maintained their segregation practices even after the passing of laws, court decisions, or constitutional amendments that occurred during the mid-20th century. Since the passing of the Thirteenth, Fourteenth, and Fifteenth Amendments, along with the controversial *Brown v. Board of Education* court case decision, American public schools have remained segregated from the 19th century through present day. While segregated educational practices may be the fault of economic indifference and residential segregation, education policy makers have failed to provide equal opportunity to urban school district students throughout the country. Urban districts provide an education to the highest number of African Americans and minorities in the United States and these students are not receiving equal education under the law. Constitutional amendments have established equality for all citizens regardless of race and color, but urban public schools continue to face segregation head on and have failed to reach equal opportunity due to economic indifference and failed educational practices throughout history.

During the Reconstruction Era, the Supreme Court passed unjust and unequal laws that enforced oppressive restrictions on African Americans coming out of slavery. Following the passing of the Thirteenth, Fourteenth, and Fifteenth Amendments, Presidents appointed Supreme Court justices who set the nation back to a time of quasi slavery and established "the same two-tiered system of justice that had existed in the slave era."¹ That system proved to be a hindrance for the resolution of public desegregation in the South. The practice of segregation far

¹ Lawrence Goldstone, *Inherently Unequal: The Betrayal of Equal Rights by the Supreme Court, 1865-1903*, (New York: Walker & Co.,)

outreached just general public arenas but also affected the way public schools would be treated for years to come. If African Americans were not treated equally after amendments were established under the Constitution, when would they finally reach equality and experience equivalent treatment under the law?

On December 6, 1865, the Thirteenth Amendment of the United States Constitution was ratified. The Thirteenth Amendment states, “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, nor any place subject to their jurisdiction.”² As shown, the Thirteenth Amendment banned slavery in the United States. When slavery was banned in 1865, African Americans needed Reconstruction Era presidents and policy makers to establish social equality and create equal opportunity for all people. African Americans were enslaved property of rich, white plantation owners for more than a century in the United States. It took them another century, after the abolishment of slavery to receive their natural born freedoms as stated in the Constitution. Although the Thirteenth Amendment banned slavery, laws established during reconstruction would institute an extended period of segregation throughout the United States. Jim Crow Laws, Black Codes, and the *Plessy v. Ferguson* decision impacted the way African Americans would live their lives for the next hundred plus years.

The Fourteenth Amendment to the United States Constitution was ratified on July 9, 1868. The passing of this amendment seemed to be crucial for African Americans coming out of slavery. The Fourteenth Amendment states,

² U.S Constitution., Art./Amend. XIII, Section. 1.

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.³

The Fourteenth amendment granted African Americans equal protection under the law. Since the Fourteenth Amendment grants African Americans equal protection, they should be treated as equal citizens to everyone else. Sadly, a variety of Jim Crow laws obstructed the passing of this amendment. Very similar to what happened to the Thirteenth Amendment, a variety of laws, codes, and court decisions would establish a segregated nation and keep African Americans from receiving equality that is granted to them under the Fourteenth Amendment. If African Americans were unable to receive equal opportunity under the law, how were they expected to receive equal opportunity for educational opportunities?

The Fifteenth Amendment to the United States Constitution was ratified on February 3, 1870. The Fifteenth Amendment states, “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.”⁴ This amendment clearly gives all citizens of the United States the right to vote regardless of skin color or race. African Americans were granted the opportunity to vote but deeper issues would surface as the right was given to them. African Americans emerging from a long period of slavery were often unable to read and write. Since they lacked rudimentary skills to vote, they rarely took part in the voting process. Since African Americans’

³ U.S Constitution., Art./Amend. XIV, Section 1.

⁴ U.S Constitution., Art./Amend. XV, Section 1.

education was nearly non-existent during slavery, they began seeking an education in order to become natural, functioning citizens of the United States.

During the Reconstruction Era, African Americans' confirmed their political rights by the Thirteenth, Fourteenth and Fifteenth Constitutional Amendments and a variety of laws passed by Congress. The Civil Rights Act of 1875 condemned the mistreatment of Black Americans and tried to establish equal opportunity under the constitutional amendments that had been passed in years prior. The Civil Rights Act of 1875 made it a crime to deny any individual "the full and equal enjoyment of any of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color."⁵ Even though this seemed to be the key to resolving segregation and mistreatment of black Americans, Congress denied this act.

In 1883, the Supreme Court struck down the 1875 act, ruling that the 14th Amendment did not give Congress authority to prevent discrimination by private individuals. Victims of racial discrimination were told to seek relief not from the Federal Government, but from the states. Unfortunately, state governments were passing legislation that codified inequality between the races. Laws requiring the establishment of separate schools for children of each race were most common; however, segregation was soon extended to encompass most public and semi-public facilities.⁶

Following an extended period of mistreatment to African Americans coming out of slavery during the Reconstruction Era, the landmark court decision of *Plessy v Ferguson* in 1896 would establish an even longer period of unequal opportunity for African Americans and minorities in

⁵ Information excerpted from Teaching with Documents, Vol. 2 1880-1929. [Santa Barbara, CA: National Archives and ABC-CLIO, 2002] pp. 57-59 <http://www.ourdocuments.gov/doc.php?flash=true&doc=52>

⁶ Information excerpted from Teaching with Documents, Vol. 2 1880-1929. [Santa Barbara, CA: National Archives and ABC-CLIO, 2002] pp. 57-59 <http://www.ourdocuments.gov/doc.php?flash=true&doc=52>

the United States. In the *Plessy v Ferguson* Case, the idea of separate but equal was established in the United States. Since the decision of that landmark court decision, the concept of separate but equal has been in question multiple times involving racial segregation in public schools. Prior to the *Plessy* decision and the passing of the Fourteenth Amendment, the city of Boston came across a court case decision that disagreed with the idea of separate but equal which was established nearly fifty years later.

Sarah Roberts was a five-year old African American girl living in the city of Boston. Her father, Benjamin F. Roberts, tried to enroll her in an all-white school that was closer to their residence than the school that she was currently attending. When her father attempted to enroll her into the all-white school she was denied on the basis of race. This was the first time that a court system had seen separate but equal in a public school. When the court ruled in favor of the city of Boston, the precedent of separate but equal was established. Six years later, in 1855, Roberts once again brought the issue to the attention of the Supreme Court. It was then that the Commonwealth of Massachusetts decided to ban segregated schools. The *Roberts v. City of Boston* in 1850 was the first court case to prohibit segregated schools in the United States. This court case set an example for other northern states to prohibit segregated schools.

Plessy v. Ferguson was a landmark court decision which established the precedent of separate but equal in the United States. Nearly fifty years after the *Roberts v. City of Boston* decision, separate facilities for persons of color were reinstated and supported throughout many parts of the United States due to the *Plessy v. Ferguson* decision. In the case, an African

American man named Homer Plessy purchased a first class ticket for a train and boarded the car that was labeled the whites only car. After refusing to move to the colored section of the train, Plessy was arrested and faced charges from the state of Louisiana. Plessy was breaking Louisiana State Law that created separate facilities for persons of color. Since the train was only running within state borders, the Thirteenth and Fourteenth Amendments could not protect him. Plessy was found guilty of the charges and forced to pay a fine. This case is significant because it enforced the precedent of 'separate but equal' and administered the separation of different races in public settings. Since the Court endorsed the idea of categorizing people based off of race, many bigoted laws were soon to follow. Southern states instituted, "separate railroad coaches for the races, separate waiting rooms in railroad and bus stations, dual systems of public education, separate water fountains in public buildings, the rear seat of the bus for Negro passengers, and all other trappings and signs of a caste system."⁷ The idea of 'separate but equal' had a place in American history for too long and something had to be done to change it.

In the arena of education, the *Plessy v. Ferguson* case was the motivation behind supplementary public school buildings for African Americans and minorities. From public universities and colleges to high and elementary schools, the idea of separate but equal was applied to all. African American students were not allowed to attend schools with white students at any level. The southern policy of segregating lawyers, doctors, engineers, and pharmacists resulted in the South's ultimate downfall of succeeding in segregated public facilities. The first cases dealing with desegregation of educational facilities were in schools of graduate study, more

⁷ Groves, Harry E., "Separate but Equal--The Doctrine of Plessy v. Ferguson." *Phylon* (1940-1956) Vol. 12: p. 66.

specifically law schools. As African American law students became educated regarding injustices behind the *Plessy v. Ferguson* decision they started to argue for its appeal.

In *Segregation in Public Education* Paul Kauper discusses the decline of the *Plessy v. Ferguson* case and how the cases decision impacted public schools for years to follow. Kauper discusses multiple cases in which the Supreme Court had the ability to overrule the separate but equal doctrine but failed to do so time after time. A few of the cases that are mentioned are the *Sweatt v. Painter* case and the *McLaurin v. Oklahoma State of Regents for High Education* case. The Supreme Court had the ability to overrule the doctrine established in the *Plessy v. Ferguson* in both of these instances. Since each of these cases were primarily dealing with segregation at an institution of higher education, the courts ruled on the side of the schooling systems both times, as there was a lower demographic of African Americans seeking higher education. It was not until cases dealing with “segregation in public education at the elementary and high school levels” did it become a more pressing issue to end segregation in a public school setting as a result of pressure from the media and Civil Rights activists.⁸ As more and more court cases surfaced dealing with segregation in public schools, the Supreme Court continued to rule in favor of separate but equal claiming that “separate educational facilities furnished Negro students were equal to those that furnished white students or were in the process of being equalized.”⁹ It was not until the landmark decision of *Brown v. Board of Education* when the Supreme Court ruled that racial segregation did not have a place in public schools and that African Americans and

⁸ Kauper, Paul G., “Segregation in Public Education: The Decline of *Plessy v. Ferguson*.” *Michigan Law Review*. Vol. 2, No. 8: p.1138.

⁹ Kauper, Paul G., “Segregation in Public Education: The Decline of *Plessy v. Ferguson*.” *Michigan Law Review*. Vol. 2, No. 8: p.1138.

minorities had been denied their rights of equal opportunity of education covered under the Fourteenth Amendment. Kauper extends his argument as he examines a variety of different court cases which all dealt with the doctrine of separate but equal. He points specifically to the cases of *Missouri ex rel. Gaines v. Canada*, *Sipuel v. Board of Regents*, and *McLaurin v. Oklahoma State Regents*. Each of these court cases took place between the *Plessy v. Ferguson* decision in 1896 and the *Brown v. Board of Education* decision in 1954. In each of these cases the Supreme Court failed to end the separate but equal doctrine.

The Court cases that took place between *Plessy* and *Brown* that dealt with segregation in Public Education tolerated segregation in Public schools. In the *Missouri ex rel. Gaines v. Canada* case the Supreme Court decided that “equal protection meant equal protection within the state’s own borders.”¹⁰ In this case, the State of Missouri had built a law school strictly for white law students. When Lloyd Gaines was refused admission based on the color of his skin, Gaines argued on the basis of the Fourteenth Amendment. Cy Woodson Canada, the man who refused Gaines admission to the Law School, argued that the school offered to pay for Gaines tuition at an out of state black law school. On December 12, 1938 the Court came to the decision that the school must provide Gaines with equal protection under the law and that since there is only one school in the state of Missouri, African Americans and minority students are eligible to attend. This Court decision did not terminate the separate but equal doctrine but it did show that the Fourteenth Amendment would be protected under the Supreme Court regardless of the separate

¹⁰ Kauper, Paul G., “Segregation in Public Education: The Decline of *Plessy v. Ferguson*.” *Michigan Law Review*. Vol. 2, No. 8: p.1146.

equal doctrine. This case set a precedent for future cases to take place in other states throughout the south.

The *Sipuel v. Board of Regents* was another court case that dealt with segregation at an institution of higher education. The *Sipuel* case, which occurred in January of 1948, had the same components as the *Gaines* case. Sipuel wanted to attend an all-white law school at the University of Oklahoma. She was denied this ability based on the color of her skin. They decided that Sipuel had been denied her equal rights by “Oklahoma because of its refusal to admit Negro students to the state law school when no separate law school was maintained for Negroes.”¹¹ In both the *Gaines* and *Sipuel* case, the Supreme Court sided with the Fourteenth Amendment and states that since no separate school was provided for African Americans or minorities, they have the right to attend the school that is provided for white students. Although neither of these cases overturned the *Plessy v. Ferguson* Doctrine, each of them advanced the possibility of achieving equal opportunity for African Americans and minorities.

The *McLaurin v. Oklahoma State Regents* (1950) case had an even larger impact on segregation in Public Schools than the others previously discussed. In the *McLaurin* Case, an African American was accepted to a University to complete his graduate work. Since the University had separate facilities for McLaurin to read, complete graduate work, and eat, the

¹¹ Kauper, Paul G., “Segregation in Public Education: The Decline of Plessy v. Ferguson.” *Michigan Law Review*. Vol. 2, No. 8: p.1146.

Supreme Court decided that this restricted him from receiving an equal education.¹² Since he did not receive equal education towards his profession, the Supreme Court was able to reach a decision but once again avoided overturning *Plessy* doctrine. The Supreme Court stated

Following this decision, the Oklahoma legislature amended these statutes to permit the admission of Negroes to institutions of higher learning attended by white students, in cases where such institutions offered courses not available in the Negro Schools. The amendment provided, however, that in such cases the program of instruction 'shall be given at such colleges or institutions of higher education upon a segregated basis.'¹³

As reconsideration of the separate but equal doctrine continued to be refused in multiple cases the likelihood of it being overturned seemed distant. Even though the *McLaurin* case improved higher educational opportunities for African American, the expression 'separate but equal' still existed within the United States.

The United States Supreme Court Justice Mr. Vinson concluded on this case that regardless of your race, one is subject to receiving an equal education. As Chief Justice Vinson stated,

Our society grows increasingly complex, and our need for trained leaders increases correspondingly. Appellant's case represents, perhaps, the epitome of that need, for he is attempting to obtain an advanced degree in education, to become by definition, a leader and trainer of others. Those who will come under his guidance and influence must be directly affected by the education he receives. Their own education and development will necessarily suffer to the extent that his training is unequal to that of his classmates. State-imposed restrictions which produce such inequalities cannot be sustained . . . We conclude that the conditions under which this appellant is required to receive his education deprive him of his personal and present right to equal protection of the Laws. We hold that under these circumstances the Fourteenth Amendment precludes differences in treatment by the state based upon race. Appellant, having been admitted to a state-

¹² Kauper, Paul G., "Segregation in Public Education: The Decline of *Plessy v. Ferguson*." *Michigan Law Review*. Vol. 2, No. 8: p.1147.

¹³ "McLaurin Versus University of Oklahoma." *The Journal of Negro Education*. Vol. 19, No. 4: p.516.

supported graduate school, must receive the same treatment at the hands of the state as students of other races. The Judgment is reversed.¹⁴

As the issue of segregation in public schools remained a prominent issue in courts across the country, the court systems had some questions that had to be answered. As Kauper states, “Why is racial segregation in the public schools in itself a violation of the equal protection clause?”¹⁵ The truth is that segregated children in public schools based primarily off skin color or race denies educational opportunities to minority children. To set up an educational system that is based off racism and segregation would be against United States constitutional rights. It was referenced in a Kansas Court case that,

A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to retard the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racially integrated school system.¹⁶

It was statements such as these that helped establish the idea of separate is not equal. Although the *Brown v. Board of Education* supported the equal, integrated school systems, The Fourteenth Amendment did not. The Fourteenth amendment has not changed since the time it was ratified in 1868. This then means that although integrated school systems are now racially integrated, the state government or federal government does not need to take action and force the races to

¹⁴ “McLaurin Versus University of Oklahoma.” *The Journal of Negro Education*. Vol. 19, No. 4: p. 517-518

¹⁵ Kauper, Paul G., “Segregation in Public Education: The Decline of Plessy v. Ferguson.” *Michigan Law Review*. Vol. 2, No. 8: p.1150

¹⁶ Kauper, Paul G., “Segregation in Public Education: The Decline of Plessy v. Ferguson.” *Michigan Law Review*. Vol. 2, No. 8: p.1151

function together.¹⁷ Kauper reminds his readers that segregation is a social pattern and it will always be reflected in the public schooling systems.

The *Sweatt v. Painter* case in 1950 gave the most hope to the desegregation of public schools. In the *Sweatt* case a man by the name of Herman Marion Sweatt was denied admission to a Law School at the University of Texas. The president of the Law School, Theophilus Painter, refused his admittance on the basis of the Texas State Constitution banning integrated schools. In 1950, Texas did not have a single law school that allowed attendance by black scholars. In order to keep the status quo, Texas produced a law school for all black students in the city of Houston. Due to the *Plessy* decision, this law school had to be separate but equal. When Painter tried to justify the refusal of the admittance of Sweatt, the Supreme Court examined the University of Texas Law School and the Thurgood Marshall School of Law and recognized multiple differences between the two such as the quality of the facilities and the overall education offered. This brought some necessary questions to the United States Supreme Court and they realized that something had to change.

Although separate but equal has received criticism since the *Brown v. Board of Education* case, our constitution still does not force integration in public places. Although the Thirteenth, Fourteenth, and Fifteenth amendments look great on paper, there are many loop holes around them allowing for extended racism and segregation to take place throughout the 20th century. As Justice Harlan stated during the *Plessy v. Ferguson* case, “Our Constitution is color-

¹⁷ Kauper, Paul G., “Segregation in Public Education: The Decline of *Plessy v. Ferguson*.” Michigan Law Review. Vol. 2, No. 8: p.1151

blind, and neither knows nor tolerates classes among citizens.”¹⁸ Since the *Plessy* and *Brown* decisions, segregation has played a major role in United States History. The inability of government officials and policy makers to restrict segregated facilities is an issue that is still faced in the 21st century.

Segregation: Effect on All Non-Whites

Throughout American history minorities have been classified as non-whites and therefore face the same segregation that African Americans face. This unequal practice was questioned in the State of Mississippi in 1927. In the *Gong Lum v. Rice* case “a Chinese family sought relief from having its child attend Black schools and asked the Court to allow the child to attend white schools.”¹⁹ The court decided on the basis of *Plessy v. Ferguson* and denied the girl the opportunity to go to the all-white school. This decision was supported by the Supreme Court and strengthened the statements made in the *Plessy* case of 1896.

As segregation was not simply the separation of people who are black and people who are white, but more the segregation of all minorities from people who are white. Many states that are in the southwest corner of the United States often house people of Mexican ancestry. In the 1940’s certain California school districts forced students of Mexican descent to attend separate schools than white students. This was again a violation of the Fourteenth amendment. The educational facilities that children of Mexican background were using were less than equal to the facilities that white students were benefitting from. In the court case *Mendez v. Westminster*

¹⁸ *Plessy v. Ferguson*, 163 U.S 537 at 559, 16 S.Ct. 1138 (1896)

¹⁹ Brown, Frank . “The Continuing Search for Quality Education by African Americans: Fifty Years after Brown.” *The Journal of Negro Education*. Vol. 73, No. 3: p.172

School District, Mexican children were denied the opportunity to attend all-white schools and secluded to a separate school for students of Mexican ancestry. The 1947, the federal court reached the decision that “segregation of school children allegedly based on English language deficiencies but in fact determined by Mexican ancestry deprives them of ‘social equality’ and in contravention of the 14th Amendment, denies them equal protection of laws.”²⁰ It was determined that this unfair treatment was unjust and unconstitutional.

Although the *Brown* ruling wouldn’t be passed for another quarter century, the NAACP was making strides in desegregating graduate educational programs throughout Universities and Colleges in the south. The NAACP played a key role in the desegregation of graduate and professional schools throughout the segregated south. Starting in the 1930’s, the NAACP took action to desegregate higher education public schools. The NAACP was a coalition of educated African Americans who were out to achieve equality for African Americans. The NAACP won numerous cases which helped to improve life for African Americans. One case that impacted the future of segregation in a public school was the *Sweatt v. Painter* in 1950. In the *Sweatt* case a young black man applied to the Law School at the University of Texas. The state of Texas responded by founding an all-Black Law School at Texas Southern University.²¹ In the final ruling, nearly four years after the case was brought to the Supreme Court, they declared that the all-Black Law School at Texas Southern could not be equal to the Law School at The University

²⁰ “Segregation in Schools as a Violation of the XIVth Aendment (Mendez v. West Minister School Districts, S. D. Cal. 1946).” *Columbia Law Review*. Vol. 47, No. 2: (March 1947) p. 326

²¹ Brown, Frank, “The Continuing Search for Quality Education by African Americans: Fifty Years after Brown.” *The Journal of Negro Education*. Vol. 73, No. 3: p.172

of Texas.²² This was a benchmark court case for the NAACP and gave them hope in achieving equal opportunities in Education. The *Sweatt* decision was a determining factor in the *Brown* case that would occur just four years later in 1954.

In 1954, the *Brown V. Board of Education* decision sought to end racial segregation in Public Schools. What is typically unspoken of in American history is that nearly two decades later many schools in the United States were still segregated. As the *Sweatt* decision and many other previous cases show, segregation has no place in public educational facilities. All of the cases previously mentioned acted as stepping stones to the milestone case of *Brown v. Board of Education*. In the *Brown* case, Oliver Brown, an African American man, contended the idea of separate but equal, when his third grade daughter, Linda, was refused the admittance to a white school. In 1952, Brown (daughter) had to travel further to get to her segregated black school than she would have had to travel to get to Sumner Elementary School, just a few blocks away. The decision of the District Court ruled on the side of separate but equal. In 1953, the Supreme Court contended this ruling and “ruled that laws requiring racially separate schools were unconstitutional.”²³ Sadly, as previously stated, the decision on the Brown case did not bring an abrupt end to segregated schools in the South. Segregation continues to be a problem in Public Schools across the country today.

²² “The Sweatt Family Blazes a New Trail Into Jim Crow.” *The Journal of Blacks in Higher Education*, No. 8 (Summer, 1995) p.35

²³Brown, Frank , “The Continuing Search for Quality Education by African Americans: Fifty Years after Brown.” *The Journal of Negro Education*. Vol. 73, No. 3: p.172

Brown v. Board was a case of high importance that litigated a number of cases that supported the separate but equal doctrine. The reason the *Brown* case was brought to public attention is because of the recent Supreme Court decisions on *Sipuel v. Board of Regents*, *Sweatt v. Painter*, and the *McLaurin v. Oklahoma State Regents*. Each of these cases set the precedence that separate but equal does not have a place in the educational realm, but none of them overturned the *Plessy* Supreme Court Decision. In the *Brown* case, Thurgood Marshall and his assistant Robert Carter contested the recent decisions of *Briggs v. Elliott* (1950), *Brown v. Board* (1954), and *Davis v. County School Board of Prince Edward County* (1951).²⁴ Other cases being questioned at the time were *Gebhart v. Belton* (1952) and *Bolling v Sharpe* (1954).²⁵ The reason why *Brown* grew to carry the most historical significance is because of the way the lawyers went about attacking segregation during this case.

The lawyers that served on the *Brown* case utilized a different strategy when it came to arguing segregation in public schools. Instead of focusing primarily on the physical differences between white schools and black schools, Marshall and Carter focused their attention on the overall idea of segregation. As an assistant lawyer on the *Brown* case, Carter stated in his 2007 journal that, “it was finally time to attack segregation directly, arguing that the practice was unconstitutional even if the facilities could somehow be said to be ‘equal’.”²⁶ By disputing segregation head-on, the lawyers could then have segregated facilities as their safety net

²⁴ Carter, Robert L. , “Brown’s Legacy: Fulfilling the Promise of Equal Education.” *The Journal of Negro Education Celebrating the Legacy of the Journal: 75 Years of Facilitating Excellence in Black Education*. Vol. 76, No. 3: p. 244

²⁵ Carter, Robert L. , “Brown’s Legacy: Fulfilling the Promise of Equal Education.” *The Journal of Negro Education Celebrating the Legacy of the Journal: 75 Years of Facilitating Excellence in Black Education*. Vol. 76, No. 3: p. 244

²⁶ Carter, Robert L. , “Brown’s Legacy: Fulfilling the Promise of Equal Education.” *The Journal of Negro Education Celebrating the Legacy of the Journal: 75 Years of Facilitating Excellence in Black Education*. Vol. 76, No. 3: p. 244

argument.²⁷ This strategy was crucial to the success of the case. If the lawyers would have attacked segregation in school facilities they would not have had the success of overturning the *Plessy* case. Similar to the conclusion that Kauper reached in his article, Carter states that, “our basis thesis was that even if school facilities for Black children were made substantially equal to those for Whites, segregation nonetheless impaired the ability of Black Children to learn.”²⁸ From a 1950’s standpoint until today, understanding the impact that segregation had and continues to have on black and minority children in education is essential to understanding the injustices that were and are present in United States society.

The case of *Brown v. Board of Education* resolved many issues that were present throughout American history. As Carter stated, “The Principles enunciated by the Court in *Brown* fostered a more aggressive, demanding Black Community and greatly expanded the Black Middle Class.”²⁹ As shown, this case significantly changed the lives of African Americans and brought about societal changes throughout the United States. People who were black no longer needed to fret about segregated facilities or the Supreme Court not supporting constitutional amendments. Unfortunately racism was still a major concern of Blacks throughout the country. Many Black people who were involved in cases such as *Brown* constantly faced violent and economic threats against them. So, although modifications were to be made the United States Constitution and laws were implemented restricting segregation in public areas, minorities still had to cope with racism and bigotry surrounding them.

²⁷Carter, Robert L. , “Brown’s Legacy: Fulfilling the Promise of Equal Education.” *The Journal of Negro Education Celebrating the Legacy of the Journal: 75 Years of Facilitating Excellence in Black Education*. Vol. 76, No. 3: p. 244

²⁸Carter, Robert L. , “Brown’s Legacy: Fulfilling the Promise of Equal Education.” *The Journal of Negro Education Celebrating the Legacy of the Journal: 75 Years of Facilitating Excellence in Black Education*. Vol. 76, No. 3: p. 245

²⁹ Carter, Robert L. , “Brown’s Legacy: Fulfilling the Promise of Equal Education.” *The Journal of Negro Education Celebrating the Legacy of the Journal: 75 Years of Facilitating Excellence in Black Education*. Vol. 76, No. 3: p. 245

The *Brown* decision faced much resistance throughout the segregated South. Following the reversal of 'separate but equal', Southern states that were flooded with white supremacists continued to resist the integration of public schools. In some instances, entire school districts shut down. In Prince Edward County, Virginia, the school systems remained closed for five years.³⁰ Other southern school districts created white, private schools that strictly white students could attend. Many Southern congress members signed the "Southern Manifesto," which announced the South's promise to keep their schools segregated.³¹ As the Supreme Court faced case after case dealing with resistance to integration, they reached the conclusion that they needed to repeat the declaration.

Under the Reagan Administration during the 1980's, the United States abandoned public school integration and rather imposed school choice and routes to alternative education for students. This modification to the educational system broke what civil rights advocates disputed for years and reinstated the segregation practices that had been prominent in the United States prior to the Civil Rights movement. By instituting school choice in the 1980s the Reagan Administration reinstated the separate but equal clause which caused the United States to return to a period of government supported segregation. Although in certain cases racially separate schools have proved to provide students with a 'good' education, these schools are failing to provide their students with necessary communication skills that prepare them to enter a coexisting society.

³⁰ Carter, Robert L. , "Brown's Legacy: Fulfilling the Promise of Equal Education." *The Journal of Negro Education Celebrating the Legacy of the Journal: 75 Years of Facilitating Excellence in Black Education*. Vol. 76, No. 3: p. 245

³¹ Carter, Robert L. , "Brown's Legacy: Fulfilling the Promise of Equal Education." *The Journal of Negro Education Celebrating the Legacy of the Journal: 75 Years of Facilitating Excellence in Black Education*. Vol. 76, No. 3: p. 246

As the nation grew and developed economically and industrially, white Americans' minds remained trapped in a time of slavery. Throughout the twentieth century, African Americans were kept from exercising their rights as free men. Whites restricted African Americans from using amusement parks, swimming pools, and recreational facilities across the nation. White Americans feared what the United States would become if African Americans were granted equal citizenship. In attempts to stay segregated, "some owners leased their swimming pools, dance halls, and skating rinks to private entities to subvert civil rights laws. Therefore, many parks had segregated spaces within formally desegregated landscapes."³² This segregated society led to many riots, sit-ins and revolts from the 1930s to the 1960s. In the controversial case *Brown v. Board of Education* in 1954, African Americans saw an opportunity for progress since the Supreme Court had formally ruled that creating separate public schools for colored students was unconstitutional. The milestone *Brown v. Board* case overturned the idea of separate but equal. African Americans "desired not to be "loved" by whites, but to coexist with them."³³ This mentality showed that segregation would no longer be tolerated and that African Americans demanded equality from their government and the society they lived in. The Civil Rights movement gained national support from all races as people became aware of the injustices and mistreatment of African Americans. These injustices were recognized and fought against by the NAACP and other African American support groups. With the backing of the NAACP and

³² Victoria Wolcott, *Race, Riots, and Roller Coasters: The struggle over Segregated Recreation in America*, (Philadelphia: University of Pennsylvania Press, 2012).p.9

³³ Victoria Wolcott, *Race, Riots, and Roller Coasters: The struggle over Segregated Recreation in America*, (Philadelphia: University of Pennsylvania Press, 2012).p.1

distinguished leaders of the Civil Rights movement, African Americans would finally be granted equal citizenship under the Civil Rights Act of 1965.

NAACP members and Civil Rights lawyers made great strides in achieving equality for Black Americans and racial minorities throughout the mid twentieth century. Although segregation continues to play a role in the United States public education system, the responsibility of change is on the shoulders of future generations and educators. It is important that administrators, principals, teachers, parents, and students engage in improving the educational system. They shall not wait for action to be made in government, but instead force change on the unjust educational system. A segregated educational system is depriving generation after generation of unjust and unequal opportunities to achieve. Forthcoming citizens must understand the importance of education on the betterment of a community. If the United States exposes its young students to a diverse group of students throughout their young educational careers, they will grow to understand much more and enter college with a much better understanding of the people around them.

The Brown case (along with other Supreme Court cases), the Civil Rights Act of 1964, and many other determining factors played a significant role on the unraveling of racist policies in the United States. In order to make progress towards integration in our educational systems, the people of the United States must first accept that racism is an ongoing issue and that it has had lasting effects on society today. As previously covered in this paper, racism still existed after those features were put in place and are still alive today. Starting at elementary and secondary schools; administrators, teachers, parents, and students must learn of racism and how to put an end to its ugly past.

The path to equality in American public schools is problematic and takes on many different factors. It took a great deal of effort to get the separate but equal doctrine overturned and even more to enforce integration after it. The Thirteenth, Fourteenth and Fifteenth amendments were not supported by courts for far too long. Since the Courts failed to support United States Constitutional Amendments, reaching equality is nearly impossible. Equality and the end of racial segregation has yet to transpire in public schools. Although financial differences could be at fault for segregation in society today, depriving African Americans and racial minorities of a quality education in the past is most certainly a contributing factor.

To improve the economic and racial injustices that exist in the United States today, government officials, social activists, and community members must highlight the importance of education and reveal the impact that segregation has on education. By educating the people, they will grow to understand the position that they are in and the importance that education has on the success of an individual. When society learns the impact that a quality education has on youth and those surrounding them, they will begin to witness revolutionizing reform in communities across the United States.

Racial Divide in Rochester, New York

Segregation in public schools remains an issue throughout the United States even after the landmark decision of *Brown v. Board of Education*. Following the *Plessy v. Ferguson* decision of 1896, Segregation was supported by law throughout the United States in public areas. Civil Rights advocates fought for equality for more than half a century and took on multiple court cases to deal with shameless acts of segregation that were taking place in public schools

across the nation. Although United States law and Supreme Court decisions show that the United States supports a desegregated educational system and equality, numbers and statistics prove that public schools across the nation are just as segregated today as they were following the period of forced integration in the 1950's and 1960's in the South. Schools in New York, especially Rochester, are still experiencing a segregated school system due to residential segregation, poverty, and crime rates.

A contributing factor to the continued reality of segregation in public schools is that many people recognize that their school systems are segregated but fail to fix the problem. Segregation is something that people have grown accustomed and complacent to throughout their lives. At an early age schools subject their students to a segregated atmosphere due to the economic advantage of the district that they live in. I have learned after living my entire life in New York State that an overwhelming majority of white students attend privileged, suburban public or private schools while the overwhelming majority of African American, Latino, Hispanic, Asian, and multiracial students attend underprivileged urban schools. Since students are attending schools within the districts their parents reside in, or districts that their parents can afford to send them to, the United States will continue to deal with the vicious circle of segregation until a change is made socially. Residential area schooling is one of the main contributions to why segregation exists within the United States public school system and why urban districts continue to face problems concerning graduation rates, dropout rates, test scores, and overall student success post-graduation. Many problems continue to cultivate from the failed United States educational system and a variety of changes must be made to address these issues.

Nationwide, the overall graduation rate is just over 80 percent. If you were to look on from an outsider's perspective, one would agree that considering a variety of circumstances, the

United States has a successful public school system. If one were to break down the graduation rate from state to state, they would see very similar statistics showing that about 80 percent of students state wide graduate from high school. Unfortunately the statistics that are not often examined are the graduation rates from district to district within the states. New York State for example has a state wide graduation rate of about 79 percent. Many of the suburban districts help boost this number, while many of the urban school districts bring this number down. The Rochester City School districts overall graduation rate of 2014 was 43 percent. That means that 57 percent of the Rochester City students are entering the labor market without a high school diploma and also are likely lacking the skills necessary to be a successful member of society. Unfortunately these failing statistics have been prominent in the Rochester City School district since the 1990's.

Low test scores, high dropout rates, and low graduation rates are a few of the reasons that Rochester has pockets of high poverty throughout the City and why these families cannot pull themselves out of their poverty stricken lifestyles. Low test scores typically lead to lower graduation rates and if students cannot graduate, these students drop out of high school. If students drop out of high school these students are more prone to living life in an impoverished and crime ridden neighborhood with lower paying jobs. Of the students who drop out of high school, between the ages of 18 and 67, their median income is about \$23,000 dollars, in comparison, a student who graduates high school, even with a General Education development certificate, between the ages of 18-67 makes nearly double that at about \$42,000 dollars.³⁴ As

³⁴ U.S. Department of Commerce, Census Bureau, Current Population Survey (CPS), March 2009. These are not all high school dropouts: 1.0 percent of persons ages 18 through 67 were enrolled in high school in 2008 (U.S. Department of Commerce, Census Bureau, Current Population Survey [CPS], October 2008).

shown, simply graduating from high school has a decisive impact on the outcome of a student's earning capacity and life.

A contributing factor to the elongated segregation and racism within the United States is the failed attempts by educational policy makers to end their failed practice of segregated schooling. A part of growing up is learning to face new challenges and stepping outside of one's comfort zone. Suburban students grow up inside a bubble that their district forces them to grow up in and urban students are forced to do the same. Students who attend either urban or suburban school would never want to cross into a school that would place them outside of their comfort zone. Policy makers preach equality, equal opportunity, and the teaching of different cultures in all schools. Because of this, teachers are forced to teach students about multiple cultures, religions, and races but fail to require equal opportunity in any of these schools. Policy makers want students to recognize and understand people of different races, social classes, and ethnicities without ever having to interact with them in their classroom, and if they do grow up with someone who is "different" from them that is exactly how they will conceive that person. When discussing the continued issue of racism and segregation in the United States, how should one expect certain communities to understand other communities of people when they all have contrasting background differences of their own and were never forced to interact with each other at an early age? It cannot happen. Obviously segregation has multiple facets that make it such a controversial and complex topic but by taking away the policies that keep districts separated would be a step in the right direction to teach our students equality and allow them to experience desegregation in public schools.

Segregation is more complicated than the racial divide between suburban and urban areas. Anyone discussing this issue must take into account the socioeconomic status of families,

family income, school taxes, economically disadvantaged students, and limited English proficient students and parents. Each of these facets plays a role in separating districts and proves that something must be done to change the style of education that the United States is providing to their youth. We must ensure that students with different backgrounds are given equal opportunity at success. When examining numbers within school districts in New York State, one may ask the question if segregation ever really ended in the United States. Although southern schools went through a process of desegregation starting in 1954 with the passing of *Brown v. Board*, the educational system has since, returned a period of quasi segregation in education.

Under the Raegan Administration during the 1980's the United States abandoned public school integration and rather imposed school choice and routes to alternative education for students. This modification to the educational system broke what civil rights advocates disputed for years and reinstated the segregation practices that had been prominent in the United States prior to the Civil Rights movement. By instituting school choice in the 1980s the Raegan Administration reinstated the separate but equal clause which caused the United States to return to a period of government supported segregation. Although in certain cases racially separate schools have proved to provide students with a 'good' education, these schools are failing to provide their students with necessary diversification and communication skills that prepare them to enter a coexisting society in the future.

Throughout United States history segregation in public schools was believed to be an issue that was dealt with primarily in Southern states. What is not often examined is the process of desegregation in northern states, especially New York. According to New York State Enrollment Data report, the 2012-2013, K-12 enrollment was 2,656,967. Of the 2.6 million students that were enrolled in New York State Public Schools between these years, nearly 1.2

million of these students were white. The remaining population of 1.4 million students was made up of Black/African American, Hispanic/Latino, Asian, Multiracial, or American Indian. These statistics show that New York State has a desegregated school system based purely off of the number of students of different races that attend public schools throughout the state. These numbers however do not reflect how these students are dispersed throughout the state and the schools that they attend. New York does not have any law that places limits on one group of people from attending another school but they do have obvious racial divides between urban school districts and suburban school districts. I will concentrate the next portion of my research on the Rochester City School District and the Urban/Suburban divide that exists between schools surrounding Rochester.

According to the New York State Enrollment Data Report of 2012-2013, the Rochester City School District had a total of 31,653 students attending school between the ages of 5 and 18. According to the National Center for Educational Statistics (NCES), 29,283 of student age children classify themselves as Black or African American, 12,904 of student age children classify themselves as Hispanic or Latino, 7,895 student age children classify themselves as white, 4,705 student age children classify themselves as being multiracial and 1,145 student age children classify themselves as Asian. When examining the data and the census numbers one must take into account that a certain percentage of these students are either not attending school, attending a private school or have dropped out before turning 18. Of the 7,895 students who classify themselves as white and live within the Rochester City School district borders, only 2,957 attend a public school in the Rochester City School District. Of the 29,283 students who classify themselves as black and under 18 in Rochester, NY, nearly 19,000 attend a Rochester

City School District Public School. These numbers paint a much more detailed picture of what a typical New York State Urban school would look like.

Although United States law and policy say that we are an integrated society, I would argue that we are as segregated today as we were following the *Brown v. Board* decision. Following the *Brown* decision southern schools and districts experienced much resistance to the idea of integration in all schools. In order to avoid the possibility of sending white students to the same schools as black students went, many white families opted to send their students to private schools or remove them from that district. This seems to be a similar issue that many urban districts are encountering today. As shown, many white students who live within the boundaries of the city of Rochester have been sent to private schools. I am not saying that they are doing this to avoid contact with Black and minority students but I believe it is because of the perceived lack of opportunity at an urban school over a private or suburban school. It is this perception that is in the minds of many that renders the question of what was supposedly struck down in 1954, separate but equal.

To give another perspective of the segregation that exists in a New York State School, I am going to examine a suburban school that shares a border with the City of Rochester, Pittsford, NY. Although the overall numbers of students who attend schools in this district are much lower than in the City, the segregation that exists in New York State Public Schools is easy to see.

According to the New York State Data Report of 2012-2013, Pittsford Central School District has 5,969 students attending their schools. According to the NCES in 2014, 6,870 schools age students classify themselves as white, 113 classify themselves as Black, 700 classify themselves as Asian, 300 classify themselves as Hispanic, and 297 classify themselves as multiracial. Again we must consider the students who are not attending school, attending a private school, or who

have dropped out before the age of eighteen. While comparing these numbers one must recognize the extreme difference between a Suburban School in New York State and an Urban School in New York State. The racial divide that exists between suburban schools and urban schools in Rochester, NY are a serious problem as we try to move forward in creating a nation of people who are expected to coexist with their neighbors. The data examined proves that although school policy may not enforce segregation, it is a primary concern in the Rochester community.

The information above can be accessed by anyone with a computer and internet access. So, why does segregation still play a key role in the educational setting in New York State? Why hasn't anything been done to break the racial divide between district boarders? Are the districts created in New York State established to create segregated districts and give different races different opportunities in New York? New York must authorize new policy that ensures all students are receiving a well-rounded multicultural education that students in many other states are receiving. By doing so, New York will recognize sweeping alterations in the way that their citizens interact with one another and the respect amongst differing communities will significantly increase.

Metropolitan areas throughout New York State have experienced segregation since the passing of the *Plessy v. Ferguson* decision in 1896. Although the *Plessy* decision was made in Louisiana, its effects reached states as far north as New York. Following the verdict of separate but equal, New York State implemented separate educational facilities for students who were of color since it was supported by the Constitution of the United States. Across the state, the policy of separate but equal was supported up until the passing of *Brown v. Board* in 1954. This proves that although the South was believed to have been the root of racist and segregational practices in the United States, the North required and followed the same policies and procedures. That is part

of the reasoning that New York faced so much resistance when integration was forced upon their schools. Since state wide educational policies prior to the *Brown* decision supported the constitution, New York citizens grew accustomed to the idea of separate educational facilities for students of different races and ethnicities. It was not until 1960, that New York schools began the legal process of desegregating urban schools across the state.

The New York State Board of Education resumed its segregationist practices twenty years after the *Brown* decision. Even with the attempts made by state educational officials to desegregate the school systems throughout the 1960's and early 1970's, members on the state education board who supported desegregation eventually were found jobless. The board was replaced with board members whose goals were not to desegregate but rather reinstated segregationist practices that had existed throughout United States history. The New York Board of Education has since failed to follow Constitutional law by failing to integrate schools across the state. Schools and communities have since grown more segregated after the Civil Rights Movement.

One step that must be taken in order to improve the educational climate of Rochester schools is to end residential segregation. Since the Great Migration of African Americans from the segregated Southeast to the urban Northeast, African Americans have continued to face regulated segregationist practices by Northern housing officials. The practices of forced residential segregation were policies that were found across the State of New York are especially prominent in New York City but also in places like Rochester, Syracuse, Buffalo and Albany. As New York's urban centers grew more and more segregated so too did the schools that students of those areas were attending. Following the passing of *Brown v. Board* in 1954, schools nationwide had to force integration. Many people are under the impression that only Southern

schools needed to desegregate. This could not be more untrue. Northeastern states were among the most segregated state throughout the 20th century. Since many Northern whites opposed integration following the *Brown* decision they prepared themselves a change. As a result, many white families began moving out of the cities and into the suburbs as part of the white flight suburbanization that took part following World War II. The movement of whites out of upstate New York cities and into the suburbs along with the high influx of Puerto Rican people into cities left the urban housing zones increasingly segregated. This segregation left a lasting impact on the urban schools throughout cities in upstate New York.

Rochester City Schools and neighborhoods have remained racially and culturally segregated since the failure of the Board of Education to pass new legislation in the 1970's. Along with the high African American population in the City of Rochester the Latino population also grew since the 1960's and 1970's. Their arrival imposed the need for an instantaneous change in the Rochester City School District. Teachers were no longer educating strictly English speaking students. They now had students in their seats that required more support and assistance due to language barriers. Students that require more support typically require more money and funding. Since many minority families who reside in Rochester have struggled financially for many years the school taxes and educational support are not as strong as they are in surrounding suburban districts. Statistics show that of the 32,000 students who attend Rochester City Schools 84 percent are eligible for free and reduced price lunch. So, 27,000 students in the Rochester area rely on school to provide them with 2 of their 3 meals for the day. Of the Big Five Districts, Rochester has the highest poverty rate. Although finances are not the only struggle that Rochester City Schools face each day, supplementary funds certainly boost success and offer advanced educational opportunities.

Generational poverty is another leading cause to the low graduation rates of students within the Rochester City School District. Students who grow up in poverty stricken areas of Rochester tend to fall into similar financial issues that they grew up understanding. History tends to be a long line of social trends. Unfortunately when students are exposed to extreme poverty and experience traumatic events growing up, they are more likely to have an interference with their education. Throughout history, education has the power to pull people out poverty and unfavorable situations and put them in situation to improve their own lives. Students who do not know where their next meal is coming from and who live in poor conditions have certain aspects of surviving to worry about rather than what is going on in the classroom. Regardless of the color of a person's skin, the conditions that people grow up in have a significant impact on the success of that person. Obviously, some students are self-motivated and are able to overcome adversity but these cases are becoming much harder to come by. Politicians must address the issue of poverty to encourage success among Rochester City School students.

Poverty and low socioeconomic status headed with the issue of segregation have a damaging impact on the success rate of Rochester City School district students. When students grow up in impoverished areas they are often exposed to many of the wrongs that exist in an urban society. It is common knowledge that students who grow up in poverty do not usually have equal opportunities to attain success in their future. These students need alternate opportunities to gain the knowledge that they cannot receive at home from a young age. Students are often passed from grade to grade until it is too late to realize that they have not maintained the appropriate skill to pass the tests that are necessary for a High School graduation. Since the implementation of No Child Left Behind in 2001, many of these students have actually been granted a major disservice to maintain necessary life skills. So, these students must learn the skills that are often

learned at home in a school setting. When a student is forced to cram an entire educational career into only a few years once they reach high school, school becomes frustrating. This leads to a variety of reactions from students. These reactions do not help with a student's education and their mindset about learning. In order to address the issue of segregation in public schools in Rochester and across the United States, policy must be put in place to help the students who live in these underprivileged areas.

Concentrated poverty and the growing separation of rich and poor has become a comfortable norm for many people living in the Rochester area. Beginning in the 1950's a high influx of African Americans from the South began to migrate to northern cities. Between the 1950's and the 1980's the population of African Americans living in the City of Rochester grew by nearly sixty percent. As the population of African Americans grew, more policies were established to enforce segregation and increase the racial divide in the Rochester community. As years passed many of the low income segregated areas became accustomed to the divide that exists and their children are forced to attend lower funded and lower performing schools in the City of Rochester. Inversely, students growing up in the suburban districts surrounding the city of Rochester have more privilege to attaining success based purely off of their socioeconomic status and the town that they grew up in. To attain equality and equal opportunity regardless of where one grows up and the socioeconomic status of their parents, this issue must be addressed by officials of Monroe County.

The high concentration of low income housing in the City of Rochester is a contributing factor to the issue of concentrated poverty. Concentrated poverty has left a lasting impact on student achievement in the Rochester City School District. Unlike the surrounding suburban districts, where low income housing is nearly nonexistent, Rochester has concentrated pockets of

poverty throughout the city which makes student achievement problematic. Rochester neighborhoods that experience the highest dropout levels and lowest graduation rates are often the areas of highest poverty. This correlation is no mistake. As African Americans, Hispanics and members of other minority groups moved to northern cities throughout the latter half of the 20th century, lower income urban housing provided the best opportunity for the most affordable living. This shaped the idea of residential segregation throughout parts of the Northeast quadrant of the United States and was most prevalent in metropolitan areas across Upstate New York. As segregation established itself throughout areas of New York, the divide between black and white and the rich and poor became more widespread. In order to achieve equal opportunity for lower income families that live in impoverished urban areas, suburban districts need to establish a source of low income housing that provides students equal opportunity in a suburban school. This would help break up the impoverished areas of cities. Also, city policy makers need to put restrictions on students who live within city borders and their option of school choice. As previously mentioned higher income families in the city are sending their children to private schools to give their students a higher educational opportunity and avoid negative connotations that are often associated with city schools. These students would be more likely to help rebuild districts with higher graduation rates and lower dropout rates. This idea is extremely problematic. Parents and students who have the luxury of attending private schools or suburban schools do not often recognize the disparity that exists between the high and low class. Since they cannot comprehend the battle that students in impoverished areas experience, they would not agree with the proposal of integrating students and communities of different race and class. Although this cannot be connected to the idea of racism, negative characteristics are often associated to poverty and the races that live in poverty. The association of certain races to

poverty is what cultivates racism and the stereotypes that are tied to different races.

Unfortunately stereotypes by state and county officials have contributed to a segregated society and established segregated schools throughout metropolitan areas.

Certain areas of Rochester that experience the highest number of impoverished people are more prone to criminal activity. People, especially school age, are more likely to involve themselves in criminal acts if they live in impoverished areas. Although these students may not want to take part in the crime that is going on around them, students resort to drug dealing and theft as a short term option to making a sizable amount of money and getting the material objects that are sought after in American society. When young students see an opportunity to make money some students will become more prone to taking the wrong path. Whether the students steal or drug deal to make money, the students taking part in criminal activity are hindering their ability to achieve a quality education. If students see an alternative option to making money at a young age they begin to debunk the value of an education and place more importance on making money. The students who choose the more dangerous path typically drop out of high school or fail to graduate. Once they fail to graduate they continue along the path that they were on and bring down the communities that they live in. They influence the younger generations and impact their educational goals. When students have parents or siblings who get involved in negative behaviors it tends to pull other family members along with them. In order to make sure city children are staying in school and not being pressured into criminal activity, the students must have positive role models in their lives to look up to. When students begin to value the education they can receive and the success they can reach through education, youth in areas across the country will choose an education over the negative behavior that the streets offer.

When this happens, cities, towns, and villages will experience lower crime rates and higher graduation rates.

The answer to segregation in communities and schools is much more problematic than one may think. Race ties to poverty, poverty ties to residency and residency ties back into race and poverty. Each characteristic has an impact on the other. In order to solve one issue in a community, all other issues must be dealt with. This is why cities and towns find such difficulty in addressing issues that seem to be a simple fix. Since one problem relates to another, it is hard to solve one without uncovering others. Although policies are being established to deal with the issues that are addressed above, society must recognize the problems that exist and work to overturn the procedures that were made throughout the 19th and 20th century that established a segregated society both socially and economically. By understanding the history of the United States and the policies, procedures and laws that were created and why they were created, citizens can build a greater understanding of why society is the way it currently is and why certain towns and communities experience privilege while others do not. If United States citizens of all backgrounds can open their minds to the community outside of their own than society will experience the reformation that it needs to address issues that exist in certain neighborhoods and the schools that the children from these neighborhoods attend. By addressing the issue of poverty, school age students who live in poverty will experience more success in the classroom. By addressing the issue of crime, school age students will become less likely to associate with criminals and hopefully more time on their studies. By addressing segregation, students of all races will be able to associate with students of other races and build the relationship and open-mindedness that is essential to a student's understanding of the world and the idea of coexisting.

Students must understand the importance of an education in order for them to realize the impact that they can have on their school and on their community. Students need to be aware of the community that they live in and the impact that negative behavior can have on their neighborhoods and on their schools. When crime, drugs, and corruption begin to have an impact on the success rates of schools across New York State, a reform must be in order to reestablish the importance of an education and benefits of graduating from high school. Students who graduate from high school are presented with many more opportunities than those who do not. They are more likely to go on to college, enter the workforce, or join the military than those who do not. Each of these options helps the student build a successful life and have a positive impact on the community they live in. If more students are given the opportunity at a quality education, more will become educated members of society that can understand the injustice that has existed for a greater part of United States history.

By establishing communities and school districts that can coexist with one another, students of all races will experience the positive outcome that a free public education can give. By breaking the racial and economic boundaries that exist between neighborhoods and districts societies will begin to flourish and schools will experience constructive modifications that are essential to a growing community. This response will break the idea of privilege and place larger groups of the community on an equal playing field when it comes to success rates in schools and after they graduate. By taking privilege out of the picture, students can be given the same opportunity at success than their peers who may grow up in suburban districts. Suburban districts can then break the stereotype that all students are white privileged scholars and build an understanding of the tribulations that exist in surrounding communities and work to rebuild the areas that were affected by years of neglect and forced segregation. When this is done, the

United States can then pride themselves on being the 'melting pot' that was supposed to build one of the most successful and democratic nations in the world.

Link to Website: <https://desegregatenyschools.wordpress.com/>

Desegregate New York Schools is website that is looking to educate the community and students of the Rochester City School District of the injustice that exists in the modern day school systems of Rochester New York. When examining segregation historically in the United States, the story is always told the same, Segregation existed in the South, and only the South. Unfortunately what is often erased is the fact that segregation existed throughout the Northeastern quadrant of the country, in New York State, and more specifically in Rochester. In 1954, following the passing of the Brown v. Board decision in Topeka, Kansas, a national policy was constituted to end the policy of separate but equal, established in the Plessy Case, and force desegregation practices in public facilities and schools across the Country. Southern schools protested the decree of desegregation but so too did many Northern School districts. School Boards across the country encountered much rejection during this time since much of the white community simply wanted to avoid contact with the black community. As a result, Residential segregation became a leading cause to the segregation that is existed throughout the Rochester Community and its surrounding suburban towns and villages. Although steps were taken to desegregate schools across the state of New York throughout the 1970s, pro-desegregation board members found themselves idle in making progress toward desegregation and were eventually replaced with board members who would focus on other issues in education.

Although board members tried to desegregate the Rochester area schools districts throughout the latter half of the 20th century, these members were eventually replaced with representatives who were comfortable with the outcome of a segregated society in Rochester, New York. In turn, drugs, violence, crime and poverty have become uncomfortably ordinary for students attending Rochester City Schools. When confronting issues such as these, an Education seems as though it would fall secondary to the problems that the students encounter outside of school. These issues don't only impact the students outside of the classroom but it also leaves an impact on the student psychologically which impacts their ability to learn. Traumatic events that students in the Rochester School District face often have an impact on their overall performance in the classroom, their behavior, and their overall educational success. Students who grow up in impoverished zones of the City of Rochester have a lower chance of graduation, lower likelihood of furthering their education and also have tendencies to involve themselves in criminal acts. The negative outcomes of many kids' lives have a lasting impact on other students who grow up in Rochester who find themselves living in the homes of these parents. Since the Rochester City School District has struggled with graduation rates over the last 20 years, educational officials must realize that to improve the graduation rate and the success seen in their graduates, they must address issues such as poverty, crime, and residential segregation. If success is what the Rochester City School District is after than they must first look to the leading causes of the high dropout rate and low graduation rates. Residential segregation, poverty, and crime must first be addressed by policy makers before the school district can see a major change in the failing numbers that have become too familiar within the district borders. Students of the Rochester Community must have an opportunity to achieve success. If they are not able to escape the countless issues that can affect them outside of school than policy makers and district officials

should take on the responsibility of making radical changes throughout the community. Once these issues are addressed and the city begins to see crime rates go down, the students of the Rochester Community will have an opportunity to become high achieving graduates who can work toward improving the community that they grow up in.