

A Classroom Guide for

# SEPARATE IS NOT EQUAL

BROWN v. BOARD OF EDUCATION



4th through 12th Grade

Morgan Stanley is proud to make possible  
the educational materials for *Separate Is  
Not Equal: Brown v. Board of Education*

Morgan Stanley



Smithsonian  
National Museum of American History  
Behring Center

## Dear Teacher,

We are pleased to provide you with this teacher's guide designed to accompany the National Museum of American History's exhibition *Separate Is Not Equal: Brown v. Board of Education*. The guide was created through a generous gift from Morgan Stanley, and is the result of the dedicated efforts of classroom teachers, museum educators, historians, and curators. *Separate Is Not Equal: Brown v. Board of Education* marks the 50-year anniversary of the Supreme Court's groundbreaking decision that ended legal segregation in the United States. Using objects, images, and video presentations, the exhibition portrays the struggle for social justice leading up to and following the Court's ruling on the *Brown* case. Also discussed is the decision's impact on today's society.

In this teacher's guide, your class will find primary-source activities, suggestions for student-centered research, and bibliographic materials that highlight other teacher materials, books, websites, and historic sites that feature the *Brown v. Board* case.

Please keep in touch with us, either through the Internet or by writing the Department of Education and Public Programs, Smithsonian Institution, P.O. Box 37012, National Museum of American History, Behring Center, MRC 603, Washington, D.C. 20013-7012, and let us know your thoughts.

Best Regards,



**Brent D. Glass**  
Director



**Nancy McCoy**  
Assistant Director for Education  
and Public Programs

NATIONAL MUSEUM OF AMERICAN HISTORY, BEHRING CENTER

## Connections to National History Standards for Grades 5–12

### UNIT ONE

Civil War and Reconstruction  
1850–1877, Industrial United  
States 1870–1900, Modern  
America 1890–1930  
Era 5 3A/B/C; Era 6 2B;  
Era 7 3A

### UNIT TWO

Modern America 1890–1930,  
Great Depression, World  
War II 1929–1945, Postwar  
United States 1945–Early 1970s  
Era 7 3A/C; Era 8 1B; Era 9 4A

### UNIT THREE

Postwar United States  
1945–Early 1970s  
Era 9 4A

### UNIT FOUR

Postwar United States  
1945–Early 1970s  
Era 9 4A

### UNIT FIVE

Postwar United States  
1945–Early 1970s  
Era 9 4A

### UNIT SIX

Postwar United States  
1945–Early 1970s  
Era 9 4A

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**Overview:** This teacher's guide complements the curriculum from Reconstruction through the Civil Rights Movement of the 1960s to today. Each unit begins with background information for the teacher based on the museum's *Separate Is Not Equal: Brown v. Board of Education* exhibition. Following the narrative are suggested lesson plans. All lessons address the historical thinking standards of chronological thinking, historical comprehension, historical analysis and interpretation, and historical issues and decision-making.

- 1     UNIT ONE: Segregated America**  
Suggested Grade Level: 4th through 6th grade; 7th through 12th grade  
**Skills:** Analysis and evaluation of primary source materials
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Suggested Grade Level: 4th through 12th grade  
**Skills:** Analysis of primary sources, small group work
- 10    UNIT THREE: An Organized Legal Campaign**  
Suggested Grade Level: 4th through 6th grade; 7th through 12th grade  
**Skills:** Internet and print research, analysis of historical source material, poster making
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Suggested Grade Level: 7th through 12th grade  
**Skills:** Research skills, analysis of primary and historical sources, oral presentations
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Suggested Grade Level: 4th through 6th grade; 7th through 12th grade  
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Suggested Grade Level: 4th through 6th grade; 7th through 12th grade  
**Skills:** Analysis of primary sources, creative presentation of work, small group work

**CD:** At the back of this guide you will find a CD with images, teacher briefing sheets, and student handouts that accompany each unit. Also included on the CD are **additional activities**, an **annotated bibliography** and a *Brown v. Board of Education* timeline.

Be sure to visit our Web site, [www.americanhistory.si.edu/brown](http://www.americanhistory.si.edu/brown), for school tour information, a virtual tour of the exhibition, and downloadable copies of our educational materials, including all of the material on the accompanying CD.

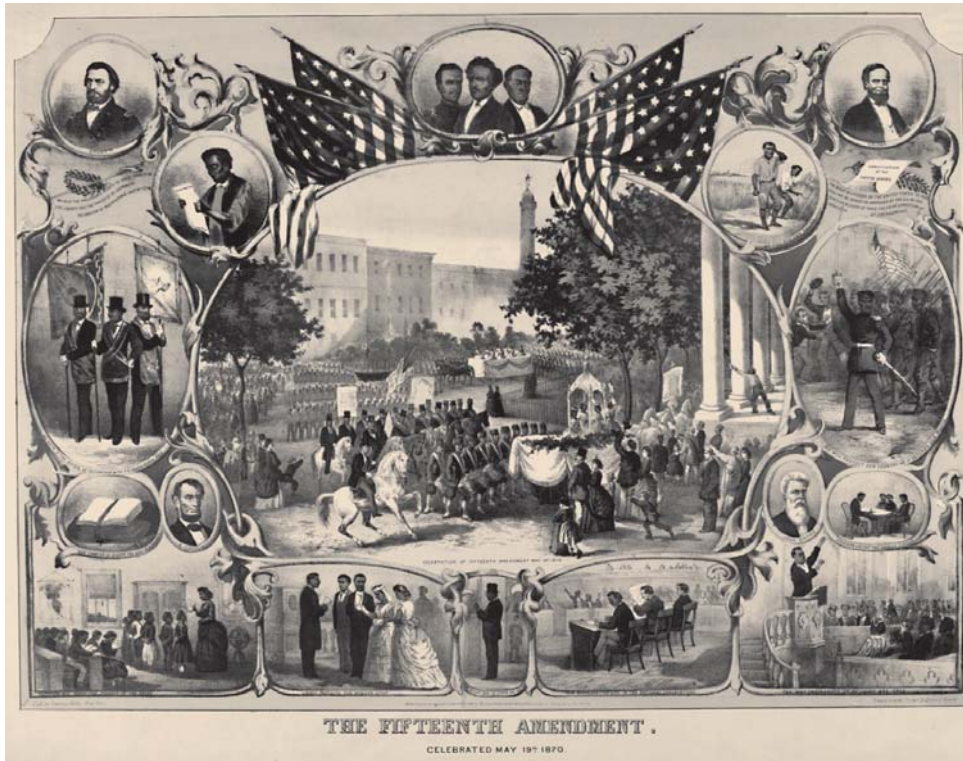


## Separate Is Not Equal: *Brown v. Board of Education*

The U.S. Supreme Court's decision in *Brown v. Board of Education* marked a turning point in the history of race relations in the United States. On May 17, 1954, the Court stripped away constitutional sanctions for segregation by race. Equal opportunity in education became the law of the land. *Brown v. Board of Education* reached the Supreme Court after decades-long efforts of lawyers, community activists, parents, and students. Their courageous struggle set in motion sweeping changes in American society and redefined the nation's ideals of equality and justice.

Mrs. Nettie Hunt poses with her daughter  
on the steps of the U.S. Supreme Court.  
Courtesy of Corbis





Print celebrating passage  
of the 15th Amendment,  
published in 1870  
SI Collections

## Segregated America

After the Civil War, millions of formerly enslaved African Americans hoped to join the larger society as full and equal citizens. Freedom meant an end to the whip, to the sale of family members, and to white masters. The promise of freedom held the hope of self-determination, educational opportunities, and full rights of citizenship. Between 1865 and 1875, Congress passed a series of civil rights acts, and the nation adopted three constitutional amendments intended to ensure freedom and full citizenship for all black Americans. The 13th Amendment (1865) abolished slavery. The 14th Amendment (1868) extended “equal protection of the laws” to all citizens. The 15th Amendment (1870) guaranteed that the right to vote could not be denied “on account of race, color, or previous condition of servitude.” Not until the passage of the 19th Amendment in 1920 were women guaranteed the right to vote.

When Reconstruction ended in the 1870s, however, most white politicians abandoned the cause of protecting the rights of African Americans in the name of healing the wounds between the North and the South. In the former Confederacy and neighboring states,

local governments constructed a legal system aimed at re-establishing a society based on white supremacy. African American men were largely barred from voting. By the 1890s the expression “Jim Crow,” based on a stage-show character who portrayed African Americans negatively, was being used to describe laws and customs aimed at segregating African Americans and others. These laws were intended to restrict social and sexual contacts between whites and other groups and to limit the freedom and opportunity of people of color. For example, these laws separated people of color from whites in schools, housing, jobs, and public gathering places. This legislation was given final constitutional sanction by the U.S. Supreme Court in 1896, in *Plessy v. Ferguson*.



Store Window, Sisseton, South Dakota, 1939

Courtesy of Library of Congress

## ▷ Lesson Plan One: Segregated America

**To the Teacher:** This activity complements the teaching of Reconstruction and its aftermath, including the rise of legislated segregation both prior to and following the landmark Supreme Court decision in the *Plessy v. Ferguson* case. Noted below within the main lesson are additional suggestions for teachers of both younger and older students.

**Grade Level:** 4th through 6th grade; 7th through 12th grade

**Objectives:** At the end of this lesson, students will be able to discuss the rise of segregated (Jim Crow) America in the years following the Civil War and its impact into the twentieth century. Specifically, they will be able to:

- Identify and discuss the condition and aspirations of freed African Americans in the years following the Civil War
- Identify the social factors such as racism and sexism that led to the rise of Jim Crow segregation
- Evaluate the effect of such segregation on people of color and whites

**Time:** 1 to 2 class periods

**Materials:** *On the CD:* Teacher Briefing Sheet: Lesson Plan One, Teacher Briefing Sheet: 15th Amendment Print; Student Handout: Jim Crow Laws; 15th Amendment Print; four student handouts with photographs and looking questions; 13th, 14th, 15th Amendment text

**National History Standards:** Era 5 3A/B/C; Era 6 2B; Era 7 3A

**Teacher Introduction:** Explain to students that the end of the Civil War brought massive changes for both blacks and whites in the South. Discuss that the newly freed blacks had hopes of achieving the equality and success that had been denied to them, while many whites felt that their culture and way of life had been irrevocably destroyed. With older students, also discuss that many whites feared that social contact on equal terms with blacks could lead to sexual relations between the races. Explain that the country adopted three new amendments to the Constitution to assist African Americans in achieving equality.

**Primary Source Analysis: Print Commemorating the 15th Amendment**  
Introduce or review the 13th, 14th and 15th Amendments and record the purpose of each on the board for student reference. Show the print and ask students to answer the following through class discussion:

- What are your first impressions?
- What is the print about? When was it created? Why was it created? How do you know?
- What's happening in the center of the print? Why is the event taking place?
- Look closely at the framed images around the edges of the print. Who are some of the people? Why do you think they are pictured here?
- Ask a student to read the quotations in the upper corners of the print. Where do these words come from? Why might the person who created the document include them here?
- What stories are told by the images and captions in the framed pictures to the left and to the right of the center image?
- What stories are told along the bottom of the document? What types of freedom do they represent?
- What is the tone or feeling of the print? How do the American flag and the colors contribute to the message of the print?

#### **Additional Questions for Teachers of Middle/High School Students:**

Why did the artist choose to include pictures of Abraham Lincoln, Ulysses S. Grant, Schuyler Colfax, and John Brown? Why do you suppose Grant and Colfax are positioned together at the top of the print while Lincoln and Brown are positioned together further down? How do they relate to the issue of slavery?

- Near the top of the print are two images of African Americans. What do they symbolize?
- How does the print reflect the goals of the 13th, 14th, and 15th Amendments?
- What hopes, dreams, and aspirations do you think the people pictured in the parade had?
- What do the images on the print tell you about how people felt about the interaction between blacks and whites at the time the print was made?
- What is the overall purpose of the print?

Discuss with students the following quotation from a freed slave:

*"Now we are free. What do we want? We want education; we want protection; we want plenty of work; we want good pay for it, but not any more or less than any one else... and then you will see the down-trodden race rise up."* – John Adams, a former slave

Ask students to discuss factors that would affect the possibility of achieving these goals or mitigating these concerns. Discuss the responses as a class. Be sure to discuss how and why such topics of education, voting, and equal pay are significant. Also ask students to imagine how white Southerners might have felt about the changes brought on by the Civil War. How might they have responded to these amendments? Why?



### **Student Activity—Analysis of Jim Crow Laws and Photographs of**

**Segregated America:** Divide students into five groups. Give the political cartoon to one group, a copy of Jim Crow laws to one group, and one photograph to each of the remaining groups. Refer to the Teacher Briefing Sheet on the CD for background information on these images. (Note: Teachers of younger students may want to do this activity using the photographs only.)

Have the groups examine their assigned photograph or cartoon, taking time to think about and discuss the questions at the bottom of each handout. Have the group with the Jim Crow laws read through and discuss the laws, and then make a list of the laws in their own words to share with the class.

Explain to students that during the last quarter of the 1800s and through the early decades of the 1900s, many whites redoubled their efforts to deprive African Americans of their civil and political rights. Under a legislated system of segregation and discrimination called Jim Crow laws, many states sought to restrict blacks from voting and sharing public facilities with whites. Use the questions below to generate discussion, based on the list of laws, and the selected cartoons and photographs. Help students place the cartoon, photographs, and Jim Crow laws in time and in relation to the 13th, 14th, and 15th Amendments and *Plessy v. Ferguson*.

Background on *Plessy v. Ferguson*: In 1890, a new Louisiana law required railroads to provide “equal but separate accommodations for the white, and colored, races.” Outraged, the black community in New Orleans decided to test the rule. On June 7, 1892, Homer Plessy agreed to be arrested for refusing to move from a seat reserved for whites. Judge John H. Ferguson upheld the law, and the case of *Plessy v. Ferguson* slowly moved up to the U.S. Supreme Court. On May 18, 1896, the Court, with only one dissenting vote, ruled that segregation in America was constitutional.

- What do you think might have led to the establishment of these laws in the South following the Civil War?
- What would it be like to live in a society where such laws were enforced?
- If you were a white person, how would these laws affect you?
- If you were an African American person, how would these laws affect you?
- How do these laws compare to the rights guaranteed in the amendments that we have studied?
- What does the establishment of these laws reveal about the culture of the South at the end of the 19th and early 20th centuries? What words would you use to describe it?



## The Battleground: Separate and Unequal Education

Education was the main battleground in the movement for equal opportunity. For millions of children, the American public schools movement opened new opportunities. But millions of others were excluded because of their race or ethnicity. Segregated education was designed to confine these children to a subservient role in society and second-class citizenship.

Prior to the Civil War, very little public education existed in the South. After the war, southern states created a dual educational system based on race. The vast majority of southern communities created separate schools for black children. These schools were woefully unequal and offered only minimal educational training.

Yet, the commitment of African American teachers and parents to education never faltered. They established a tradition of educational self-help and were among the first southerners to campaign for universal public education. African American educational institutions were funded by a variety of sources, including black churches, white churches, local community fundraisers, state governments, and northern philanthropists.

Despite the burdens of segregation and racism, some high schools and colleges for black students provided educational opportunities that rivaled those offered to white students. Morehouse College and Tuskegee, Howard, and Fisk Universities have educated African Americans since the late 1800s.

Separate public schools were also often created for Asian Pacific American, Latino and American Indian children. Where there were not enough children of a single racial group to form their own school, they were usually required to attend black institutions. With little money or public support, parents and community leaders argued their cases before white judges and all-white school boards that had little sympathy for their concerns.

**FAR LEFT: One-teacher school,  
Vaezy, Greene County, Georgia, 1941**

Courtesy of Library of Congress

**LEFT: Fourth-grade class, Potwin School,  
Topeka, Kansas, 1950**

Courtesy of Topeka Shawnee Public Library

## ► Lesson Plan Two: The Battleground: Separate and Unequal Education

**To the Teacher:** Central to the *Brown v. Board of Education* story is the decision by community leaders and lawyers to use education as the main battleground for ending legal segregation. Through the following activities, students will gain an understanding of the pivotal role that education played in the quest for equal opportunity.

**Grade Level:** 4th through 12th grade

**Objectives:** At the end of this lesson, students will be able to identify the purpose and goals of education in American society and explain why African Americans chose to challenge segregated education in their quest for equality.

**Time:** 1 to 2 class periods

**Materials:** Paper and writing utensils, blackboard or dry erase board. *On the CD:* photographs of exteriors of white and black schools; photographs of interiors of white and black classrooms

**National History Standards:** Era 7 3A/C; Era 8 1B; Era 9 4A

**Teacher Introduction:** Begin by asking students to write down and/or share orally their answers to the following questions:

- What is the purpose of education?
- What are the three most important things necessary for a quality education?
- Encourage students to consider education as both a means of gaining knowledge and skills (such as learning math to get a job in a store) and as a means of gaining the full benefits of citizenship. Ask students to describe what they think an ideal or dream school would look like to support the education goals discussed in the first part of this activity. Throughout the discussion, explore the role that education plays in a diverse society.

**RIGHT: Colored school, Paxville, South Carolina, 1940s**

Courtesy of South Carolina Department of Archives and History

**FAR RIGHT: White school, Paxville, South Carolina, 1940s**

Courtesy of South Carolina Department of Archives and History

**Student Activity – Primary Source Photograph Analysis:** *Teacher Background–Exterior Photographs:* These images show the exteriors of black and white schools in Paxville, South Carolina, in the 1940s. In some southern states, white schools received two to three times more money per student than black schools. Black taxpayers in several states not only bore the entire cost of their own schools, but helped support white schools as well.

Divide students into small groups. Distribute to each group a copy of the photographs of the exteriors of white and black schools from the CD. Ask students to answer the following questions for each photograph in pairs or small subgroups, and then share their answers with their group.

**Student Questions:**

- Describe the building.
- What is it made of? Describe its size.
- What are the features of the building? Example: entryway.
- In your mind’s eye, divide the photograph into four squares and examine each square closely. What new information can you add to your description?
- Describe the schoolyard.
- What do you think the inside of the building looked like?
- What is the one thing you’d remember about this photograph?

*Teacher Background–Interior Photographs:* The first image shows the interior of a black classroom in Vaezy, Georgia, in 1941. The second image is of the interior of a white fourth-grade classroom in the Potwin School, Topeka, Kansas, in 1950. These examples are representative of the disparity of white and black schools.

Distribute the photographs of the interiors of each school. Ask students to answer the following in pairs or subgroups, and then share their answers with the group.





### Student Questions:

- What's happening in this photograph? How many people are pictured?
- Make a list of the objects in the classroom. How might these support the students' education?
- How do you think the classroom was lighted? Heated? Cooled?
- Now in your mind's eye, divide the image into four squares and examine each one closely. What other information will you add to the description of this classroom?
- What might it be like to be a student in this room? What evidence in the picture makes you think so?

**Follow-up Discussion:** Discuss students' findings for all photographs as a class. Ask students to consider what the term *integration* really means by looking it up, discussing the dictionary definitions, and applying it to issues of education and multiculturalism.

- Are there problems with segregated education? If so, what are they?
- What is a truly "integrated" education? Is it simply having a diverse group of students in the same room, or is it something more than that?
- Based on the discussions we have had, why do you suppose the National Association for the Advancement of Colored People (NAACP) chose to target education as one of the key areas of the Civil Rights Movement?



## An Organized Legal Campaign

Beginning in the 1930s, African American attorneys developed a long-range strategic plan to use the legal system to weaken and destroy segregation. Their decades-long campaign demanded a powerful strategy, support from black communities across the country, and extraordinary legal expertise. Two institutions led the way: the Howard University School of Law and the National Association for the Advancement of Colored People (NAACP).

Howard University School of Law had a special purpose: to produce lawyers who would use their education to help achieve equal opportunity for African Americans. One of Howard's most distinguished faculty was Charles Hamilton Houston. Houston, who became vice-dean of the Howard University School of Law in 1929, created an accredited, full-time program with an intensified civil rights curriculum. His determination to train world-class lawyers who would lead the fight against racial injustice gave African Americans an invaluable weapon in the civil rights struggle.

The NAACP created this banner to remind the American public of the continuing horror of lynching. Whenever another person was lost to this brand of racial terrorism, the association hung the banner outside its New York City offices.

Courtesy of Library of Congress

Founded in 1909, the NAACP is one of the nation's oldest civil rights organizations. Throughout the 1920s and 1930s, the association led the black civil rights struggle in fighting injustices such as the denial of voting rights, racial violence, discrimination in employment, and access to public facilities. In 1934, Houston left the Howard University School of Law to head the Legal Defense Committee of the NAACP in New York City. Among the lawyers recruited was Thurgood Marshall, Houston's star student from Howard's Law School. The Legal Defense Committee developed a long-range plan to weaken segregation without directly challenging it. Over time, through court cases focusing on segregated university education, the NAACP gradually undermined the legal foundations of segregation. By 1950, these victories, which set legal precedents that would be used later in the *Brown* case, served as the basis for a direct attack on the principle of segregation.

### ► Lesson Plan Three: An Organized Legal Campaign

**To the Teacher:** The road leading up to the *Brown* decision was paved by the important legal work of several key organizations and their leaders. Researching the contributions that the NAACP, Howard University, Charles Hamilton Houston, and Thurgood Marshall made in the years prior to the *Brown* case helps students understand the complexity of the case itself, as well as the personal and professional challenges faced by those who brought it to the Supreme Court.

**Grade Level:** 4th through 6th grade; 7th through 12th Grade

**Objectives:** At the end of this lesson, students will be able to identify the role of Howard University as an African American intellectual center, the emergence of black lawyers as civil rights leaders, the importance of the NAACP, and the roles of significant individuals, particularly Charles Hamilton Houston and Thurgood Marshall.

**Time:** 1 to 2 class periods and a research homework assignment

**Materials:** *On the CD:* Teacher Briefing Sheets on Lesson Plan Three, Howard University Law School, NAACP, Charles Hamilton Houston, and Thurgood Marshall; Student Handout: Poster Planning Sheet; twelve photographs and object images; annotated bibliography with suggested Web sites for additional research

**On the Web:** [www.americanhistory.si.edu/brown](http://www.americanhistory.si.edu/brown)—Go to the section of the virtual exhibition entitled “An Organized Legal Campaign.” There you will find information, photographs, and other primary source documents and objects related to the NAACP, Howard University School of Law, Charles Hamilton Houston, and Thurgood Marshall.

**National History Standards:** Era 9 4A

**Teacher Introduction:** Explain to students the lesson objectives, and introduce them to the names of the organizations and individuals that they will be researching. Use the briefing sheets on the CD for background information.

**Student Activities:**

*For Teachers of Younger Students:* Divide the class into four groups—one each for Charles Hamilton Houston, Thurgood Marshall, the NAACP, and Howard University. Explain to students that their task is to create a poster that will allow their classmates to learn more about the contribution that their person or organization made to the Civil Rights Movement. They will need to research the person’s biography, professional contributions, and character; or the history and impact of their organization. Students can use the poster planning sheet and annotated bibliography available on the CD to help them gather and present information.

*For Teachers of High School Students:* The poster activity suggested above can be modified for older students. In addition to researching the contribution that their person or organization made, they should also analyze the strategies that the individual or organization employed that resulted in important strides for civil rights, and convey their findings to their classmates through a poster or other visual form of presentation. Students can also undertake research papers on one of the individuals or organizations featured above, focusing on their specific contributions to the Civil Rights Movement.





Shown here are Thurgood Marshall, Donald Gaines Murray, and Charles Hamilton Houston during the 1933 suit against the University of Maryland that successfully challenged segregated education in Maryland.

Courtesy of Library of Congress

**Additional Activities:** *Letter Writing:* After learning about these people and organizations, students can write one of the following letters. Encourage students to think critically about what information to include in their letters. What are the most significant ideas or accomplishments to communicate to their intended audience?

- A prospective student/employee writes a letter explaining why they want to attend Howard University Law School or work for the NAACP.
- A local NAACP leader invites either Marshall or Houston to speak to their group.



## Five Communities Change a Nation

When Thurgood Marshall launched the full-scale attack on segregation, the United States was very different from today. For some white Americans, changes in attitudes about race followed dramatic events in American society—the Depression, World War II, the integration of major league baseball by Jackie Robinson in 1947, and the desegregation of the armed forces in 1948. But deeply rooted feelings of white superiority continued to guide daily life. In five different communities, African Americans from various walks of life bravely turned to the courts to demand better educational opportunities for their children. Together with the NAACP, these communities attempted nothing less than the destruction of segregation in the United States and the transformation of American society.

### Clarendon County, South Carolina: *Briggs v. Elliott*

In the heart of the cotton belt, where white landowners and business leaders had ruled Clarendon County for generations, poor rural African Americans made a stand. They asked for a school bus for their children, and the county denied their request. Risking retaliation, they demanded that their children have the right to attend white schools.

### Topeka, Kansas: *Brown v. Board of Education*

Slavery was never legally established in Kansas, and racial separation there was less rigid than in the Deep South. Nonetheless, African American parents and local activists from the NAACP challenged Topeka's policy of segregated schooling. *Brown v. Board of Education* gave its name to the collection of cases that ended segregation in public schools.

**FAR LEFT: Desk from the Liberty Hill Colored School in Clarendon County, S.C.**

Courtesy of Beatrice B. Rivers

**LEFT: Lucinda Todd and her daughter Nancy. Lucinda Todd was the secretary of the Topeka branch of the NAACP and the first plaintiff to volunteer in the lawsuit against the Topeka Board of Education.**

Courtesy of University of Kansas Libraries, Kenneth Spencer Research Library

**BELOW: School pennant from Robert R. Moton High School in Farmville, Va.**

Lent by John Arthur Stokes



**Farmville, Virginia: *Davis v. the School Board of Prince Edward County***

Moton High School is just a few miles from Appomattox, Virginia, the site of Robert E. Lee's surrender ending the Civil War. In 1951, Barbara Johns, a determined eleventh-grader, led a group of students who organized a strike for a better school. The students rallied their fellow classmates, an entire community, and NAACP attorneys to their cause.

**Delaware: *Bulah v. Gebhart and Belton v. Gebhart***

A border state during the Civil War, Delaware's laws on segregation followed the state's southern traditions. A small group of African American parents, upset when their children had to bypass white schools to reach black ones, sought to challenge state-enforced segregation. Two cases from Delaware ultimately reached the U.S. Supreme Court as part of *Brown v. Board of Education*.

**Washington, D.C.: *Bolling v. Sharpe***

In the 1950s, Washington, D.C.'s government and city schools were under the control of Congress. Most of the city's public facilities, schools, and housing were segregated by law or practice. Sparked by the protests of a local barber, a grassroots organization formed to expose this hypocrisy and demand equal treatment for all children.

## ▷ Lesson Plan Four: Five Communities Change a Nation

**To the Teacher:** The case that we commonly call *Brown v. Board of Education* was actually five cases from different communities around the country. In this activity, students will explore the nature of segregation in these five communities, and the different ways in which it was opposed. In order to do this, they will research both primary and secondary sources to gather information that they will use to create a radio broadcast that will present their findings to the rest of the class.

To assist the teacher, a Community Briefing Sheet for each of the five cases has been included on the accompanying CD. These briefing sheets give teachers an overview of the material that students will be researching for their radio broadcast.

**Grade Level:** 7th through 12th grade

**Objectives:** At the end of this lesson, students will be able to explain how segregation in five communities across America gained national attention and came to be the five court cases that made up *Brown v. Board of Education*. In particular, students will be able to identify, discuss, and compare and contrast the factors in each community that led community members to challenge segregation.

**Time:** 2 to 3 class periods

**Materials:** *On the CD:* Teacher Briefing Sheet on each case; Teacher Briefing Sheet: Additional Activity; Student Handout: Five Communities Research Sheet

**National History Standards:** Era 9 4A

**Teacher Introduction:** Explain to students that the *Brown* case was actually a combination of five cases from communities around the country. Explain that there were some similarities between the cases, but the nature of segregation differed in each community and each had its own history. What was true in all cases, however, was that the effort to end segregation began with the commitment of members of each community.

**Discuss:** Definitions of plaintiff and defendant



Shirley Bulah endured a long daily walk to the Hockessin Colored Elementary School. Her mother, Sarah, asked if her daughter could share a bus with white children or have a separate bus. When her requests were refused, she pursued legal action.

Courtesy of Philip E. Stamps, Jr.



**Student Activities – Research:** Divide the class into five groups, one for each case. After discussing research skills and methods with the class, provide them with copies of the Five Communities Change a Nation Research Sheet, found on the accompanying CD. The virtual exhibition, *Separate Is Not Equal: Brown v. Board of Education*, has additional background information and informative objects and photographs on each case at [www.americanhistory.si.edu/brown](http://www.americanhistory.si.edu/brown). Also, refer to the annotated bibliography on the accompanying CD for additional books, Web sites and resources on the five communities.

**Create a Radio Broadcast:** Explain to students that their task is to create a three-minute radio broadcast highlighting the essential information about each case.

- What is a compelling moment in the story that could be featured in a broadcast? For example, in the Farmville, Virginia, case, the story of the student strike could be the basis for the radio show.
- Who are the key people behind the case that a radio reporter might interview? Community activists? Lawyers? Students and parents?
- What sound effects would you use to make the story seem more real?
- What key information would you want to leave listeners thinking about?

**Summary Discussion:**

- Compare and contrast the five cases. What do these five cases have in common? What is different?
- What do these five cases reveal about the nature of segregation in America?
- What do these five cases reveal about the different ways in which communities chose to confront segregation?
- What is courage? Are there different types of courage? What kind of courage were the people involved in these cases demonstrating? Who do you think is the most courageous individual among these five cases? Why?



## A Landmark in American Justice

In 1952, the Supreme Court agreed to hear school desegregation cases from across the country. In June, the court began hearing testimony for the *Brown v. Board of Education* case, the collective title for the five national cases heard concurrently by the court. When the Supreme Court began to hear the oral arguments for both sides, the outcome of the trial was far from certain. The lawyers defending segregation were well trained and had extensive resources. Moreover, American courts had tended to be rather favorable towards school segregation in the past. Finally, the Supreme Court justices themselves had different attitudes towards racial segregation.

**LEFT: Mrs. Nettie Hunt poses with her daughter on the steps of the U.S. Supreme Court.**

Courtesy of Corbis

Since most of the arguments hinged on the equal protection clause of the 14th Amendment to the Constitution, the justices wanted to know what the framers of that amendment intended to do about segregated schools when they adopted it during Reconstruction. Therefore, they instructed both the plaintiff and defendant lawyers to research this question and prepare their interpretations.

In the fall of 1953, Chief Justice Fred Vinson, who doubted the Court's authority to overturn *Plessy v. Ferguson*, died. President Dwight D. Eisenhower appointed Earl Warren of California to Chief Justice. Under Warren's leadership, the Court unanimously overturned *Plessy v. Ferguson* in 1954. But to achieve unanimity, Warren assured some of the more cautious justices that the decision would not be implemented immediately. In 1955, the Court ordered, in what is now known as *Brown II*, that no timetable would be established for school desegregation. States, however, must proceed with "all deliberate speed." Despite the fact that many civil rights advocates regarded this as a setback, the original 1954 decision was regarded then and now as a shining moment in American history.

## ► Lesson Plan Five: A Landmark in American Justice

**To the Teacher:** When the Supreme Court agreed to hear the case in 1952, Thurgood Marshall and the NAACP had arrived at their destination at last, but the battle to overturn *Plessy v. Ferguson* and to bring down legal segregation took years to unfold. In this lesson, students will examine both the integrationist and segregationist arguments through role play, and begin to explore the impact of the Court's decision through a primary source photographic analysis activity.

**Grade Level:** 4th through 6th grade; 7th through 12th grade

**Note to Elementary Teachers:** Based on the reading and skill level of your students, you may choose to focus only on activity two, the photographic analysis, in this section.

**Objectives:** At the end of this lesson, students will be able to identify and explain the role of the Supreme Court, including Justices Felix Frankfurter and Earl Warren, in achieving the decision. Students will also begin to explore the impact of the Supreme Court decision on American society.

**Time:** 1 to 2 class periods

**Materials:** *On the CD:* Student Handouts: Integrationist Arguments, Segregationist Arguments, Integrationist Biographies, Segregationist Biographies, Supreme Court Overview, Photograph: Nettie Hunt and Daughter

**National History Standards:** Era 9 4A

**Teacher Introduction:** Begin by reviewing with students the process by which a court case moves through the legal system and arrives at the Supreme Court. For a useful guide using one of the *Brown* cases, see: [www.landmarkcases.org/brown/courtsystem.html](http://www.landmarkcases.org/brown/courtsystem.html). Remind students that the case the Supreme Court heard was actually a combination of five cases, and that the defendants included lawyers for each of the five cases. The plaintiff lawyers were members of the NAACP's Legal Defense Fund and were led by Thurgood Marshall. Provide a brief biographical sketch of the main attorneys for each side. Ask students to brainstorm the major points of each side's argument.

### **Student Activities—The *Brown* Decision: Role Play Activity**

Review the 14th Amendment with students. Describe to students how the Supreme Court was deadlocked in June 1953. Explain that to postpone issuing a decision, Justice Felix Frankfurter persuaded his fellow justices that they should ask defendants and plaintiffs both to prepare responses to a series of questions and to present their answers during the 1953 session. The questions focused on the intent of the 14th Amendment and the protection of citizens' rights as they relate to the abolition of segregation in public schools.

Distribute to students the summary arguments for each side and the biographical sketches for the opposing attorneys found on the accompanying CD. Have students role play reporters covering the case at the Supreme Court. Assign them to write an article summarizing the plaintiffs' and defendants' arguments. Have them include biographical information on the key players for each side. Ask students to consider:

- What might their headline say and why? What images might accompany their article and why?
- How might these elements of their presentation influence their readers?
- Have students share their articles in groups or through class discussion.

**Primary Source Photographic Analysis:** Provide students with a copy of the photograph of Nettie Hunt and her daughter on the steps of the Supreme Court. Use the following questions as prompts for discussion or writing:



- What is happening in this moment captured by the photographer?
- This picture was not a candid shot but rather a carefully posed photograph. Why do you think the photographer chose to pose these people in this particular way at this location?
- What other images would have made a good front-page picture in the newspapers on the day following the decision?
- Imagine that you are the mother in this picture. What might you be thinking? Consider what you might be thinking about yourself, your education, and the past, as well as your hopes for your daughter.
- If you were the woman pictured here, how would you explain the significance of the Supreme Court's decision to a child who is too young to understand the complexities of legal terminology and the history of segregation?

**For Middle/High School Students:** Print out copies of Earl Warren's opinion (available at [http://landmarkcases.org/brown/landmarkframe\\_majority.html](http://landmarkcases.org/brown/landmarkframe_majority.html)) and read it aloud with students. Begin by explaining to students that the Supreme Court in 1954 had decided that "separate educational facilities are inherently unequal." Ask them what the justices meant and what evidence they had in mind when making this statement. How did this decision respond to the one handed down in *Plessy v. Ferguson*? Why do you think Chief Justice Warren stated that, "In approaching this problem, we cannot turn the clock back to 1868 when the Amendment was adopted, or even to 1896 when *Plessy v. Ferguson* was written. We must consider public education in the light of its full development and its present place in American life throughout the Nation." Explain to students that the Court's decision was unanimous. Chief Justice Warren believed that it was important, if not critical, to have a unanimous decision. Ask students to consider why it was essential that the decision be unanimous. Ask students to read the judgment, *Brown II*, available at: [http://www.archives.gov/digital\\_classroom/lessons/brown\\_v\\_board\\_documents/brown\\_v\\_board.html](http://www.archives.gov/digital_classroom/lessons/brown_v_board_documents/brown_v_board.html). What had the Supreme Court ordered? To whom? And why? What had the Court meant by indicating that desegregation was to be carried out "with all deliberate speed"? How might this wording have been received by those in favor of the Court decision? By those opposed to the decision?

**Additional Activity for Teachers of Younger Students:** As a follow-up activity, have students draw their own pictures representing photographs that might have been taken on the day of the decision, and have them create a newspaper article based on their drawing.



## The Past Half Century: Achieving Equality

In the 1950s, Americans were deeply divided over the issue of racial equality. African Americans pressed to have the *Brown* decision enforced, and many people were unprepared for the intensity of resistance among white southerners. Likewise, defenders of the “Southern way of life” underestimated the determination of their black neighbors.

The African American freedom struggle soon spread across the country. The original battle for school desegregation became part of broader campaigns for social justice. Fifty years after the *Brown* decision, the movement came to include not only racial and ethnic minorities, but also women, people with disabilities, and other groups who felt a gap between the promise of equal opportunity and the reality.

Since the 1960s, equal educational opportunity has come to mean many different things to many different people. Americans have put their hopes in different and sometimes conflicting approaches to education—further integration, a return to racially separate schools, neighborhood choice, school vouchers, multicultural teaching, or an end to multicultural programs.



**FAR LEFT:** *The Problem We All Live With*, by Norman Rockwell. 1964

SI Collections

**LEFT:** This cartoon was created by Bill Mauldin, and printed in the *St. Louis Dispatch* on December 1, 1960.

Courtesy of Library of Congress

Some students and parents believe that race-conscious programs to achieve equal opportunity are not consistent with the original ideals of the Civil Rights Movement, while others argue that the goals of the movement have been undermined and abandoned by recent court decisions. Most people agree that the America of the 21st century will be a very diverse nation where there will likely be no majority race. In this society, an education that exposes students to people of many different backgrounds will be of paramount value.

## ▷ Lesson Plan Six: The Past Half Century: Achieving Equality

**To the Teacher:** This activity examines the immediate reaction to the decision and provides links to related civil rights issues of the latter 20th century up to today.

**Grade Level:** 4th through 6th grade; 7th through 12th grade

**Objectives:** At the end of this lesson, students will be able to identify and analyze the range of reactions to the 1954 decision, and the ways in which the Court's mandates were enacted or blocked. Students will also be able to connect a more recent civil rights or education issue to the legacy of *Brown v. Board of Education*.

**Time:** 1 to 2 class periods



People showing their support for affirmative action at the Supreme Court, April 2003

Courtesy of William E. Lee/  
Real Life Photos



**Materials:** *On the CD:* Teacher Briefing Sheet: Lesson Plan Six; Student Handout: Civil Rights and Education Research Topics; three political cartoons and four copies of letters to the editor both in favor of and against the Supreme Court ruling; Object photo: Rockwell print.

**National History Standards:** Era 9 4A

**Teacher Introduction:** Explain to students that the *Brown* decision was met with a wide range of responses, from enthusiastic support to vehement denunciation. Discuss why people would have different feelings about the decision.

### **Student Activity – Primary Source Analysis: Political Cartoons and Letters to the Editor**

Divide the class into seven groups. Give each group either one of the three political cartoons or one of the four letters to the editor located on the CD.

Ask them to answer the following questions:

- Describe what is happening in the political cartoons.
- What is the author's or illustrator's response to the Supreme Court's decision?
- What word best describes the author's or illustrator's opinion?
- What beliefs, attitudes, or customs are held by each author or artist?
- What other political or social events of the time are referred to in the letter or cartoon? Why?
- Where and when do you suppose this item was first published?
- What effect do you think articles, editorials, and cartoons like this one had on people's opinions?

**Summary Discussion:** Have student groups report back to the class on their primary source. Have students locate on a map where their cartoon or editorial was published. What questions do the students have about their primary sources? How might they research the answer? At your local library, have your students research editorials, letters to the editor, and political cartoons dealing with the *Brown* decision in their local papers. How was the decision received in your community? Why do you think members of the community responded in this way?

**For Teachers of Younger Students:** As an alternate activity, analyze with students the print by Norman Rockwell, *The Problem We all Live With*, featuring Ruby Bridges going to school in New Orleans, Louisiana, some six years after the *Brown v. Board of Education* decision. For those students who completed the activity in Unit 5 on the photograph of Nettie Hunt and her daughter, explain that the event in this picture took place six years later.

Ask students:

- What's happening in the picture?
- What might the little girl be thinking? Why?
- Why did the artist entitle this picture, *The Problem We All Live With*?
- How might students describe the real girl, Ruby Bridges, pictured here? How old does one have to be to have courage?

Discuss with students what Ruby's experience would be today. Students may research what has happened in her city since Norman Rockwell created this print.

### **Summative Project: Continuing the Fight for Equality and The Legacy of Brown**

The battle for equal opportunity in America did not end on May 17, 1954. Encourage students to examine a civil rights or education issue that has taken place or become prominent in the past 50 years through the creation of a poster, video, play, Web site presentation, radio broadcast, or essay. Possible topics for study include the Little Rock School Desegregation Crisis (1957) the sit-in at the Greensboro, N.C. Woolworth's lunch counter (1960), Martin Luther King Jr.'s March on Washington (1963), the Boston school busing crisis (1974) school vouchers, bilingual/multicultural education, affirmative action (University of Michigan Case, 2003), and the impact of integration in your community. On the CD you will find a handout with a more detailed list of possible research topics.



## CD Contents

The PDF files on the CD require the free Adobe Acrobat Reader to view. To download a free copy go to: <http://www.adobe.com/products/acrobat/readstep2.html>

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4. 15th Amendment Print
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Brown v. Board of Education**

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#### FRONT COVER

**LEFT: Fourth-grade class,  
Potwin School, Topeka, Kansas, 1950**

Courtesy of Topeka Shawnee Public Library

**RIGHT: One-teacher school, Vaezy,  
Greene County, Georgia, 1941**

Courtesy of Library of Congress

#### BACK COVER

**Victorious civil rights attorneys George E.C. Hayes,  
Thurgood Marshall, and James Nabrit Jr. outside  
the U.S. Supreme Court, May 17, 1954**

Courtesy of Library of Congress



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