

**Justice Talking Listening Guide**  
**Race and Public School Assignments**  
1/8/07

**SHOW SUMMARY**

Can race be a factor in deciding which public schools students will attend? That's the main issue in two cases from Seattle, Washington and Louisville, Kentucky being heard in the U.S. Supreme Court this term. Although the programs differ, each school board is accused of discrimination for setting numerical targets for minority enrollment in order to maintain racial diversity in their schools. Join us for this edition of Justice Talking as we take a detailed look at how school districts assign students to schools.



**Kathleen Brose**

• Part 1: Margot speaks with **Kathleen Brose**, a parent and the president of a group suing the Seattle School District over its use of race in assigning students to city schools.



**Lois Weis**

• Part 2: Margot speaks with **Lois Weis**, an education professor who has studied race, class and gender in American schools, about the history of desegregation efforts.



**Charles Ogletree**

• Part 3: Law professor **Charles Ogletree** and Center for Individual Rights president **Terrence Pell** debate the role of race in deciding where students should go to school.



**Terrence Pell**

• Part 4: Reporter Shannon Heffernan files from the city of Chicago, where the public school system is seeking to be relieved of federal supervision over its desegregation efforts.



**Bob Saffold**

• Part 5: Margot speaks with **Bob Saffold**, a public education advocate, about a new family income-based assignment system being used to determine the makeup of North Carolina schools.



**Peter Zamora**

• Part 6: Margot discusses how school desegregation addresses Latino populations with Mexican American Legal Defense and Educational Fund lawyer **Peter Zamora**.



Listen to two differing perspectives on affirmative action from National Public Radio:

A FIRST PERSON VIEW ON SAVING AFFIRMATIVE ACTION

[www.npr.org/templates/story/story.php?storyId=6502116](http://www.npr.org/templates/story/story.php?storyId=6502116)

MICHIGAN TAKES STANCE AGAINST AFFIRMATIVE ACTION

[www.npr.org/templates/story/story.php?storyId=6502104](http://www.npr.org/templates/story/story.php?storyId=6502104)



**Host Margot Adler**

Margot Adler is a National Public Radio correspondent based in NPR's New York bureau. Adler has thirty years of experience as a radio host and reporter and is the author of several books.

## DEFINITION OF TERMS

**Brown vs. Board of Education** – In this unanimous 1954 decision, the U.S. Supreme Court overturned the “separate but equal” rule from 1896 case, Plessy vs. Ferguson. The Court declared that “in the field of public education the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.” The Court reasoned that “[t]o separate [students] from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone.” The Court said that the Constitution’s Fourteenth Amendment prohibits states from discriminating against its citizens by guaranteeing equal protection under the law.

**Affirmative Action** – In 1961, President John F. Kennedy signed Executive Order 10925, which directed all branches of the federal government to study and make recommendations concerning fairness in their employment practices. It also ordered that all government contracts forbid private employers from discriminating and to “take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin.” Finally, the Order creates the President’s Committee on Equal Employment Opportunity and grants the Committee the authority to impose penalties for violations of the order.

## DISCUSSION QUESTIONS

1. Do you think class should be considered along with or instead of race in the effort to desegregate public schools?
2. Do you think that if *all* public schools had the financial support and specific programs they need, segregation would still be a problem? How would this be different than the “separate but equal” system in place before Brown vs. Board of Education?

The New York Times  
LearningNetwork

### ARE WE THERE YET?: EXPLORING DIVERSITY IN AMERICAN POLITICS

The new Congress will include 71 women—one of whom will be the first female speaker of the House—compared with 25 when Representative Geraldine Ferraro, a Queens Democrat, became the first woman to run as a major-party vice presidential candidate in 1984. There will be 43 blacks in the new Congress, compared with 13 when the Congressional Black Caucus was formed in 1969. A Gallup Poll in September showed a steady rise in the number of people who expect the nation to elect a woman or an African-American as president one day: Americans, it seems, are much more open to these choices than, say, someone who is an atheist or who is gay.

Read this New York Times Learning Network article here:

[http://www.nytimes.com/learning/teachers/featured\\_articles/20061211monday.html](http://www.nytimes.com/learning/teachers/featured_articles/20061211monday.html)