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Submitted for the Record

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Hearing: "Brown v. Board of Education at 65: A Promise Unfulfilled"

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It is most fitting that I would be charged with examining the fulfillment of The Brown v. Board of Education at age 65, as this is also the year of my 65th birthday. I was born three months after the Brown v. Board decision was handed down. The plaintiffs in *Brown* asserted that the system of *racial separation*, while masquerading as providing separate but equal treatment of both white and black Americans, instead perpetuated inferior accommodations, services, and treatment for black Americans.¹ The District court had already found that segregation in public education has a detrimental effect on negro children, but denied relief on the ground that the negro and white schools in Topeka were substantially equal with respect to buildings, transportation, curricula, and qualifications of teachers.² In the Delaware case the district court judge in *Gebhart* ordered that the black students be admitted to the white high school due to the substantial harm of segregation and the differences that made the separate schools unequal.³ The landmark Brown v. Board of Education decision of the U.S. Supreme Court ruled unanimously that American state laws "establishing racial segregation in public schools are unconstitutional, even if the segregated schools are otherwise equal in quality". The Brown v. Board of Education Supreme Court decision stated that "separate educational facilities are inherently unequal" and therefore violate the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. ⁴The decision, however, did not stipulate or suggest how this end to racial segregation would be implemented. States were only ordered to desegregate "with all deliberate speed".

This is the era in which I was born. The court's conclusion was thus, "We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment."⁵

Was this mandate fulfilled or was this a platitude of well-meaning words? Did desegregation produce the achievements that were inherently promised? Through my own life experience, I would soon find out.

I speak to you today, not as a learned scientist regarding the accumulated data on this subject, but instead I speak to you from the heart and experiences of a parent who has

had the opportunity and sometimes distress of finding the way to accomplish the major responsibility of my life which is to do all possible to assist my son, Michael, to succeed in the world. I didn't have all the data, nor did I have preconceived ideas about what was best for Michael. I, as a parent, had to be empowered to make the best decision for my son.

Although initial steps to desegregate schools may have seemed successful, the desired outcomes were not obtained. Although black schools received some tangible improvements, they were not to the extent of their peer white counterparts. And with blacks being marginalized into all black neighborhoods, black students didn't have the real educational opportunities that their white counterparts had.

I have two older children. They were born at a time in my life when I was better equipped financially to make choices for them. They attended both private and public schools, one of whom graduated from a DC public high school (by choice).

Two years after Michael was born, we were in a tragic vehicular accident that left my husband unable to work for extended periods. With a constrained budget, we had to look for available alternatives for schooling for Michael. We recognized that education was one of the ways (if not the only way) to escape the "ravages of the inner city".

Brown v. Board of Education intended to empower parents to make the best educational choice for their child(ren). But that empowerment was not real if my child had no opportunity to attend the "best or better school". For our family, that changed 50 years, yes 50 years, after the Brown v. Board decision in 2004 when a proactive program, the DC Opportunity Program, was implemented. It allowed our family to choose among public, charter, and private schools for our son Michael to attend.

We were open to exploring all options. It appeared that public school, charter school, and a new DC Opportunity Scholarship Program (DC OSP) were the available options. My research indicated that school choice had led to improving all three types of school through 1) competition that required all three school types to increase innovative programming, 2) increased school accountability, 3) increases in parental engagement, and 4) providing options for low income students of color.

Michael's education started with HeadStart through first grade at public schools. We applied for the DC Opportunity Scholarship and received it. This opened up our options. So, we decided to explore the option presented by the DC OSP and Michael transferred to NHB, which was a private school for the second grade.

Through an unfortunate set of administrative circumstances, Michael was not able to return to NHB for the third grade. The class was full before we were able to re-enroll. Although saddened, we had no problem with Michael returning to public school. Michael was re-enrolled in a public school. But, several weeks into the school year, Michael was bullied at the school and was in an altercation with three other boys, resulting with him having a bloody lip and other lacerations. Although I was concerned

about Michael having a bloody lip, I was not as concerned about that fact, as I was about how the school handled the situation.

Unfortunately, the school did not handle the situation properly. I was never advised about the fight by the school, but instead was advised by his caretaker who picked him up at the end of that school day. The school's excuses were not good enough for me. Michael needed to be in a safe place, and this public school was NOT it. So, I vowed that he would never return to an unsafe school. I called the Washington Scholarship Fund and they advised me that the OSP was still available to Michael. After a few days of researching our alternatives, we found Cornerstone Schools of Washington, DC. I walked in and it was a totally different environment than the public school that he had attended. The class size was half the size of that at the public school. The students appeared eager and ready to learn. The academic training was rigorous. And, oh yes, he felt safe and I felt safe for him.

I am happy to say that after Michael matriculated at Cornerstone in 2007, he stayed there until the seventh grade. We continually evaluated our educational choices and in the eighth grade, Michael transferred to HU MS², a charter school. He returned to Cornerstone in the ninth grade and continued at Cornerstone until the twelfth grade, graduating as Salutatorian in 2016. He received four full rides to HBCUs but decided to attend the University of Maryland, College Park.

Our family is able to speak to the effectiveness of School Choice because we have been privileged, yes privileged, to have experienced public, charter, **and** private schools. Through our varied educational experiences in public, charter, and private schools, we can truly say that education is NOT a one size fits all proposition. Each family has the right to decide what education works best for their individual child(ren). They must decide throughout their child's education what is best for their child to succeed. But without school choice, many families do not have the option for their child to receive the equal education promised.

I shudder to think of where our son, Michael, would be if he did not have School Choice available to him. No, indeed, *Brown v. Board of Education* mandate has NOT been fulfilled in the last 65 years. But school choice is a step in the right direction in reaching the mandated outcome. Today, Michael Reginald White is a successful example of how School Choice in all three arenas of public, charter, and private school can be utilized for the successful education of low-income students. Middle- and upper-income students have choice already by virtue of their income and social status. School choice allows low income families to participate in the American dream afforded by equal education.

1. *Brown v. Board of Education*, 347 U.S. 483 (1954)
2. *Brown v. Board of Education*, 98F Supp. 797 (D. Kan1951)
3. *Gebhart v. Belton*, Writ of Certiorari, 73 S. Ct.213
4. *Brown v. Board of Education*, 347 U.S. 483 (1954) pp.486-497
5. *Brown v. Board of Education*, 397 U.S. 495 (1954)