

POLICIES AFFECTING BLACK STUDENTS

Over the last 150 years, federal and state laws have played an enormous role in shaping the educational opportunities and school conditions faced by Black children.



The Education Trust-West

1852 – As part of California’s **fugitive slave law**, the state bans Black children from California public schools—even though California is a free state.



1974 – In **Milliken v. Bradley**, the U.S. Supreme Court prohibits desegregation across school district lines, causing re-segregation as white students flee to affluent suburban districts.

1964 – Title VI of the **Federal Civil Rights Act** prohibits any programs receiving federal funds, including public schools, from discriminating on the basis of race, color, national origin, or sex.



2001 – The federal **No Child Left Behind Act** includes the requirement that public schools report achievement data for ethnic subgroups, surfacing achievement gaps and requiring action based on those gaps.



2011 – The California State Assembly creates the **Select Committee on Boys and Men of Color**, releasing its 2012 Action Plan with 67 recommendations related to health, education, violence prevention, and youth development.

2008 – California State Superintendent of Public Instruction Jack O’Connell convenes the California Pre-kindergarten through Higher Education Council, directing the Council to release a report with recommendations for **Closing the Achievement Gap**.

1978 – In **Regents of the University of California v. Bakke**, the U.S. Supreme Court upholds affirmative action when it rules that universities can consider race and ethnicity in admissions decisions. However, it prohibits schools from using specific quotas.



1852 1872 1930 1947 1964 1974 1978 1996 2001 2008 2009 2011 2014

1872 – Preceding *Plessy v. Ferguson* by 6 years, the California Supreme Court, in **Ward v. Flood**, upholds segregation as “separate, but equal” and supports a public school’s refusal to admit a Black student.

1930-1950 – With the second wave of the **Great Migration**, the Black population explodes in California, increasing by 500%.



1996 – California voters approve **Proposition 209**, ending affirmative action in California’s public institutions. As a result, between 1995 and 1998, the number of Black, Latino, and Native American students drops by 58% at UC Berkeley and 53% at UCLA.



2014 – **Assembly Bill 420** is signed into law, eliminating suspensions for willful defiance for grades K-3, and eliminating expulsions for willful defiance for K through 12th grade.



1947 – After a public school refuses to admit a Mexican American student, **Mendez v. Westminster School District** strikes down school segregation in California. This case prompts the California Legislature to repeal school segregation laws and paves the way for *Brown v. Board of Education* in 1954. Nevertheless, school segregation persists due to the lack of systemic desegregation efforts and continuous discriminatory housing practices.



2009 – The California State Board of Education creates an **African American Advisory Committee** to “help better understand the issues concerning the achievement gap that exists between Black students and their counterparts.”

