

Part III: Analyzing the 2007 Supreme Court Decision (40–50 minutes)

Time

40–50 minutes

Procedures

1. Tell students that you'd like them to delve deeper into the issue of integration, as it relates to today's schools, by considering a very significant court case that was decided in June 2007. Write the name of the case on the board or a sheet of chart paper:

Parents Involved in Community Schools v. Seattle School District and Meredith v. Jefferson County Board of Education

Ask students if they have heard of this case. Point out that it is actually two cases that were decided together by the U.S. Supreme Court because they both dealt with voluntary school integration plans (one in Seattle, WA and the other in Louisville, KY) that use race as a factor in student enrollment. Allow students to share what they already know about the case.

2. Have students get back into their small groups. Tell them that they will be receiving background information about the case and some questions for discussion. Instruct students to read over the materials and then discuss the [Key Questions](#). After explaining the task, distribute the documents listed below. Allow about 30 minutes for this small group process.

- [Parsing the High Court's Ruling on Race and Schools](#)
- [Key Questions](#) (either distribute or write questions on chart paper/board)
- (Optional) [The School Plans at Issue](#)
- (Optional) [Justices Limit the Use of Race in School Plans for Integration](#)
- (Optional) ["High court rejects school integration plans"](#) (*The Seattle Times*, June 28, 2007, www.seattletimes.com/seattle-news/high-court-rejects-school-integration-plans/)

NOTE: Decide which handouts and how many you will incorporate into this activity based on the ability level of your students. Depending upon time and student skill level, you may consider searching for more basic texts and assigning them for homework prior to the activity. It may also be necessary for you to provide a brief overview of the case for students, verbally summarizing the key points.

3. Reconvene the group and ask for volunteers to share highlights from the group discussions. Ask students if they agree with the majority, concurring or dissenting opinion in this case and why. Clarify any outstanding questions students may have about the decision and what it means for public schools around the U.S.

NOTE: In this case, the opinions of Justices Kennedy and Thomas were considered concurring opinions, which means that they agreed with the judgment of Chief Justice Roberts and the other justices representing the majority opinion, but not their reasoning, and therefore presented different rationales as the basis for their decisions. Justice Kennedy's concurrence was of particular importance because while he asserted that the Seattle and Louisville plans lacked adequate justifications for their specific racial classifications, he disagreed with the majority conclusion that the Constitution requires school districts to ignore de facto segregation in schooling and affirmed that a district may consider it a compelling interest to avoid racial isolation and achieve a diverse student population.

Key Questions

Parents Involved in Community Schools v. Seattle School District and *Meredith v. Jefferson County Board of Education*

1. What does *Parents Involved* have to do with Little Rock, *Brown v. Board of Education* and past efforts to desegregate schools?
2. Since forced and legally sanctioned segregation has been eliminated, do we still need to be concerned about de facto segregation in schools? Why or why not? [De facto refers to separation that happens as a matter of fact, usually because of housing patterns, but that is not required by law, referred to as de jure].
3. Is there value in promoting racial integration and diversity in schools? Why or why not? Are there positive educational benefits to students? If so, what are they?
4. Is diversity in schools a “compelling governmental interest,” something crucial for the government to address rather than something merely preferable? Why or why not? If it is a compelling interest, how should it be achieved? Should other factors in addition to race be considered?
5. Are voluntary integration plans a form of racism or discrimination? Do you think that considering race in school admissions—even if it’s one of many factors used—violates the constitution or promotes inequality?