

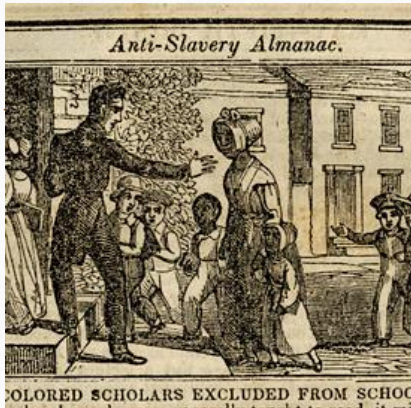
EDS 25 American Higher Education & The Collegiate Experience

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Agenda

- Good News
- Desegregation of Higher Ed.
- Affirmative Action
- Court Case Review
- Wrap-up



Roberts V. City of Boston 1850

- Sarah Roberts
 - Underfunded
 - Closer white school
- Parents Filed Suit

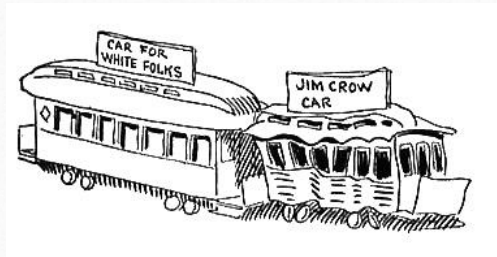


Roberts V. City of Boston 1850

- Outcomes
 - State
 - Separate schools
 - Treatment of the law
 - **Separate but equal principle**
- SN: 1855 segregated schools banned

Plessy v. Ferguson (1896)

- Plessy
 - 13th Amendment
 - 14th Amendment
- Louisiana Car Act of 1890
 - Separate Carts



(Hegii, 2014)

Plessy v. Ferguson (1896)



- "Separate But Equal Doctrine*"
 - 14th Amendment
- Legitimized racial segregation



Berea College v. Commonwealth of Kentucky (1908)

- Not segregated
- 1904 Day law is passed
 - Violation
- 14th Amendment

14th Amendment

...nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Berea College v. Commonwealth of Kentucky (1908)

- 14th amendment
- Private charter
- Expanded Plessy v. Ferguson



Missouri ex ReL. Gaines v. Canada (1938)

- Lloyd Gaines
 - University of Missouri's Law School
 - Denied Admission
 - Offered out of state scholarship
- Claimed Denial of Admission
 - 14th Amendment Rights
 - One school
 - No substitute



Missouri ex rel. Gaines v. Canada (1938)

- Court ruling
- Case dismissed
 - Admitted
- After



McLaurin v. Oklahoma State Regents (1950)

- George McLaurin
 - University of Oklahoma Doctoral program
 - Denied
 - Segregation
- Sued
 - Violation of 14th Amendment
 - Decision



Sweatt v. Painter (1950)

- Heman A. Sweatt
 - The University of Texas at Austin Law School
 - Application Denied
 - Texas Supreme Court
 - Ruling
 - Admission
 - Equal Facilities

Brown V. Board (1954)

- Challenged Separate But Equal
- **Overtured** Plessy v. Ferguson
 - Discrimination Illegal
- “Separate educational facilities are inherently unequal”
 - Brown II (1955)
 - With All Deliberate Speed



Question

How does **equity** differ from **equality**?

Affirmative Action Definition

Affirmative Action is a set of government policies created by different branches of state and local government designed to redress historic injustices against specific groups by making special efforts to provide members of these groups with access to educational and employment opportunities. Affirmative action is not a quota.

Affirmative Action Definition

However, scholars argue that anyone who receives preferential treatment is a beneficiary of affirmative action. In other words, athletes, cheerleaders, children of donors, and beneficiaries of networks or good ole boy clubs also benefit from affirmative action.

Overview of Affirmative Action

- 1940's - Franklin D. Roosevelt
 - Committee on Fair Employment Practice
- 1961 – John F. Kennedy
 - Executive Order 10925
- 1964 – Lyndon Johnson
 - Civil Rights Act

Overview of Affirmative Action

- 1965 – Howard Commencement Speech
- 1965 – Voting Rights Act
- 1965 – Executive Order 11246
 - Enforced affirmative action
- 1967 - Affirmative Action Expanded To Include Women

Overview of Affirmative Action

- 1969 – The Philadelphia Order
- 1975 – Voting Rights Act Amended
- 1978 - Bakke v. Regents of California
- 1982 – Latinos benefit from Affirmative Action
- 1997 – Proposition 209

Rationale for Affirmative Action

Society

- Reparations
- Beneficiaries

Institution

- Equal opportunity
- Social mobility
- Representation
- Compelling Interest

Equity vs. Equality

“...You do not take a man who for years has been hobbled by chains, liberate him, bring him to the starting line of a race, saying, ‘you are free to compete with all the others,’ and still justly believe you have been completely fair.”

Fourteenth Amendment

Equal Protection Clause

“No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.”