



U.S. Department of Justice

Civil Rights Division

[civilrights.justice.gov](https://civilrights.justice.gov)

## Fulfilling the Promise of *Brown v. Board of Education*

The Civil Rights Division has worked for decades to ensure equal educational opportunities for all of America's schoolchildren, as promised by the Supreme Court's landmark decision in *Brown v. Board of Education*. As we mark the 69th anniversary of *Brown's* proclamation that education is a "right that must be made available to all on equal terms," we continue to confront school segregation and discrimination based on race, national origin, sex, religion, and disability.

**DISMANTLING RACIAL SEGREGATION IN PUBLIC SCHOOLS:** While *Brown* was a transformative moment in American history, too many students are still waiting for its promise to be fulfilled. The Division has secured significant victories to ensure that school districts meet their obligations in the nearly 140 cases on the Division's desegregation docket.

*Expanding Opportunities in Madison County, Alabama:* Last year, the Division secured a new consent order in a desegregation case in [Madison County School District](#), addressing findings that: Black students faced unnecessary barriers to participating in gifted and advanced programs, that they were subjected to racially disparate discipline, and that the district's recruitment and hiring processes left several schools without a single Black faculty member.

**PROTECTING STUDENTS FROM RACIAL HARASSMENT:** The Division addresses racial harassment and other forms of discrimination that limit opportunities for students of color.

*Ending Harassment and Discipline Discrimination in Farmington, Utah:* The Division is implementing a settlement with the [Davis School District](#) to remedy severe racial harassment of Black and Asian-American students. The agreement requires significant institutional reforms to address the racially hostile environment and discriminatory discipline practices.

*Providing Resources to Combat Harassment:* The Division has worked to confront pandemic-related harassment of Asian American and Pacific Islander students, including by issuing, with the Department of Education, an updated [resource](#) for students and families.

### PROMOTING DIVERSITY AND PROTECTING ACCESS IN SCHOOLS

*Protecting Access to Opportunities in K-12 Schools:* The Department of Justice has submitted amicus briefs in cases in [Virginia](#) and in [Massachusetts](#) supporting the right of K-12 school systems to take steps to ensure that the high-quality educational opportunities they offer are accessible to a broad cross-section of the students they serve.

*Recognizing the Educational Benefits of Diversity in Higher Education:* The Department also submitted amicus briefs in support of [Harvard University](#) and the [University of North Carolina](#) in two cases now pending in the Supreme Court, urging the Court to adhere to prior holdings that achieving the educational benefits of diversity in higher education is a compelling interest.



## EXPANDING OPPORTUNITIES FOR ENGLISH LEARNER STUDENTS

Each day, English Learner students find themselves in schools that fail to meet their needs. In the last two years, the Department has reached settlements to protect English learners in [Arizona](#), [California](#), [Maine](#), [Massachusetts](#), [New Hampshire](#), [New Jersey](#), [North Carolina](#), and [South Carolina](#), requiring school districts to properly serve English learners and to provide language access to LEP parents so they can be full participants in their children's education.

**COMBATING SEGREGATION AND EXCLUSION OF STUDENTS WITH DISABILITIES:** Students with disabilities often face discrimination that makes it impossible for them to learn and grow alongside their peers.

*Combating Improper Restraint and Seclusion:* The Division is working to protect students with disabilities from stigmatizing and dangerous seclusion and restraint practices in public schools. In the last 18 months, the Division has reached settlements to end improper seclusion and reform discriminatory restraint practices with the [Spokane Public Schools](#) in Washington; the [Anchorage School District](#) in Alaska; the [Okaloosa County School District](#) in Florida; [Cedar Rapids Community School District](#) in Iowa; the [Frederick County School District](#) in Maryland. To learn more about the Division's work in this area, visit: [www.justice.gov/schoolseclusion](http://www.justice.gov/schoolseclusion).

**ADDRESSING HARASSMENT AND DISCRIMINATION BASED ON SEX:** The Division fights for safe learning environments for all students, no matter their sexual orientation or gender identity.

*Protecting Student-Athletes in San Jose, California:* The Division is implementing a settlement with [San José State University](#) to address its finding that SJSU failed to respond adequately to reports of sexual harassment (including sexual assault) by an SJSU athletic trainer, and retaliated against two employees. The settlement required the University to provide \$1.6 million in financial relief and enact major reforms to its Title IX process.

*Fighting Discrimination Against Transgender Students in Harrison County, West Virginia:* The Department filed a [statement of interest](#) and an [amicus brief](#) in *B.P.J. v. West Virginia State Board of Education et al.* to advise the Court that Title IX and the Equal Protection Clause prohibit states from categorically excluding transgender girls from participating in single-sex sports restricted to girls.

## KEEPING THE SCHOOLHOUSE DOOR OPEN TO ALL

In 1972, in *Plyler v. Doe*, the Supreme Court made clear that children have a right to enroll in public schools regardless of their immigration status. The Departments of Justice and Education have issued a series of [guidance documents](#) to all public school districts reminding them of their obligation under federal law to provide equal educational opportunities to all children residing in their districts. This included a recent [fact sheet](#) on confronting discrimination based on national origin and immigration status.