



The Preservation Effort, 1990- 2003: Brown v. Board of Education Historic Site

The U.S. Supreme Court decision of May 17 1954, *Oliver Brown et al v. The Board of Education of Topeka, (Kansas)*, is thought to be one of the most significant events in the history of this country, yet it remains largely misunderstood. Prior to 1990 few attempts had been made to commemorate and interpret this history through properties associated with legal or personal aspects of the case.

The first effort to identify sites that contributed to *Brown* began in 1985 when Justice Warren Burger, former Chief Justice of the United States Supreme Court, called upon the National Park Service (NPS) to conduct a survey of properties associated with the U.S. Constitution. The resulting document entitled a *Constitutional Theme Study* was published by the National Park Service in 1987 to coincide with the anniversary of the Constitution. To prepare this study, the author Dr. Harry Butowsky, historian with the National Park Service, convened a panel of constitutional scholars and canvassed federal judges to develop a list of constitutional milestones.

Brown v. Board of Education consistently appeared among their top three choices. His research entailed identifying properties associated with these milestones. For his selection of sites in *Brown*, he focused on the residence of Oliver Brown (no longer standing) and Sumner Elementary, the school that had denied Mr. Brown the right to enroll his daughter solely on the basis of their race.



Monroe School

At that point Dr. Butowsky was unaware of the social history behind the legal history of the *Brown* case. Examinations of this case seldom deal with the complex constitutional issues or the history that underscores the sacrifice and self-determination present in the African American community. Even fewer accounts of the *Brown* decision provide information about the specifics of the Topeka case, the local leadership of the National Association for the Advancement of Colored People (NAACP), the attorneys, the 13 plaintiffs representing their 20 children, and unknown individuals whose lives were changed by these events.

History books make little mention that *Brown* is comprised of five cases from the states of Delaware, Kansas, South Carolina, Virginia, and the District of Columbia. As early as 1849 with a case in Boston Massachusetts, African American parents challenged the system of education in the United States which mandated separate schools for their children based solely on race.

In Kansas alone there were eleven school integration cases dating from 1881 to 1949, prior to *Brown* in 1954. In many instances the schools for African- American children were substandard facilities with out- of- date textbooks and often no basic school supplies. What was not in question was the dedication and qualifications of the African American teachers and principals assigned to these schools.

In response to numerous unsuccessful attempts to ensure equal opportunities for all children, African American community leaders and organizations across the country stepped up efforts to change the educational system. In the fall of 1950 members of the Topeka, Kansas Chapter of the NAACP agreed again to challenge the "separate but equal" doctrine governing public education. The strategy was conceived by the chapter president and the law firm of Scott, Scott, Scott & Jackson. Their plan involved enlisting the support of fellow NAACP members and personal friends as plaintiffs in what would be a class action suit filed against the Board of Education of Topeka Public Schools.

A group of 13 parents agreed to participate on behalf of their 20 children. Individuals in the Topeka case moved ahead, unaware that at the same time legal counsel for the NAACP headquarters in New York, represented plaintiffs in school cases from Delaware, Virginia, South Carolina and Washington DC. When the Topeka case made its way to the United States Supreme Court it was combined with these other NAACP cases. The combined cases became known as *Oliver L. Brown et al. v. The Board of Education of Topeka*.

Children of the Topeka plaintiffs had to travel past and away from nearby schools to attend schools designated for African Americans. In the other cases outside of Kansas, African American children attended poor facilities without basic school equipment and supplies. On May 17, 1954, at 12:52 p.m., the United States Supreme Court issued a unanimous decision stating that it was unconstitutional, violating the 14th Amendment, to separate children in



Buchanan School

public schools for no other reason than their race. Prior to 1954, Topeka, Kansas operated a dual system of public education at several levels.

First, only elementary schools were racially segregated. Second, junior high and senior high schools were integrated for academics but not for extra- curricular activity. Topeka operated four elementary schools for African American children, compared with eighteen elementary schools for white children.

The plaintiffs in the Topeka case were parents with children in the four African American elementary schools (Buchanan, McKinley, Monroe and Washington). Only three school buildings remain standing today. However, two have been purchased and converted for other uses.

In 1990, one of these buildings, Monroe Elementary, was to be auctioned by its owner. At that point, the Brown Foundation interceded. The unwanted property had to be saved. The owner was unaware of its historic significance as a site associated with the *Brown* decision. Monroe Elementary School, just as its counter parts, was built solely to function as a segregated school for African American children. It had existed on the same site in various incarnations since 1868. The present structure was completed in 1927. In the 1950's two of the plaintiffs, Oliver Brown and Vivian Seales, had children attending Monroe Elementary during the court proceedings in the *Brown* case.



McKinley School

The sudden availability of this property and the sense of urgency created by the proposed auction presented a supreme challenge for the Brown Foundation. The Foundation was in its infancy, having been established in 1988. The fiscal resources to acquire and rehabilitate the old schoolhouse were well beyond reach. Consequently, Foundation leadership launched a letter writing campaign. Letters were sent

to wealthy individuals across the country asking for assistance. The idea was to have someone purchase the property and agree to sell it to the Brown Foundation over a period of time. When that concept failed to generate interest, local land speculators were contacted, again without success.

Finally an idea was formulated based on the significance of *Brown v. Board of Education* in United States history. With that in mind, letters were sent to the Kansas delegation to

the U.S. Congress. Several members responded immediately offering suggestions of grant opportunities and organizations to contact.

The turning point of this preservation effort came when the Foundation was put in touch with the Afro- American Institute for Historic Preservation and Community Development in Washington, DC. At that same time, contact was made with the author of the *NPS Constitutional Theme Study*, suggesting that there had been an oversight in his research. It was further suggested that he return to Topeka to research the formerly segregated African American schools for inclusion in his original document.

During a meeting with the author of the study, he suggested that because of the historic significance of the old school building and its endangered status, the National Park Service might be interested in preserving it. He spoke of this property becoming a National Historic Site, a national park. To make that happen, the Foundation would have to enlist the support and cooperation of both the U.S. Congress and the U.S. Department of Interior.

Realizing the need for local support, the foundation developed a community task force for the purpose of brainstorming, letter writing, and moral support. Contacts were made with *Brown* plaintiffs, Monroe Neighborhood Improvement Association, civic and social clubs, local preservation groups, the city economic development office and the mayor's office, the local university, sororities and fraternities, state historical society, and the state legislature.



Washington School

Brown Site Preservation Timeline, 1990- 2004

By September of 1990, a task force was in place and the work to convert the vacant schoolhouse into a National Park began. A synopsis of the process follows:

Fall 1990

Letter writing campaign to ask Kansas congressional delegation to direct the National Park Service to conduct a study to determine the suitability and feasibility of using the Monroe School building as a national park. Meeting with Under Secretary of Interior, Director of National Park Service, and Associate Director for Cultural Resources to update them on local efforts and the need for funding once the study was requested. The Foundation located funds, via the congressional delegation, to have NPS conduct the study.

Spring 1991

NPS study team arrived in Topeka for initial assessment. Foundation submitted a position paper to study team, outlining preference for how the site might develop.

Summer 1991

NPS study team conducted on- site research to complete suitability and feasibility document.

Fall 1991

Foundation requested clarification and assistance from the Kansas State Historical Society on the application process for National Historic Landmark (NHL) designation. Brown Foundation made presentation before the NPS Advisory Board to request NHL designation.

Received official notification of NHL designation in November 1991. Held local news conference to provide a forum for the Assistant Secretary of Interior for Fish, Wildlife, and Parks to make the announcement in person. At that time the position was held by the former Governor of Kansas. Met with officials of the Trust for Public Lands to interest them in an option on the property to ensure the owner of a sale.

Spring 1992

The Foundation developed draft legislation to be used as a concept for establishing a national park at the site of Monroe Elementary School. Met with congressional delegation staff and assistant to the Secretary for Fish, Wildlife, and Parks. Foundation convened ceremony to dedicate the Monroe Elementary School as a National Historic Landmark.

Summer 1992

Congressional delegation staff and Foundation prepare legislation to be introduced in the U.S. Senate in July. Senate hearing convened in August. Brown Foundation provides testimony. Senate legislation passes.

Fall 1992

Legislation introduced in the House. Special hearing convened. Brown Foundation provides testimony. Legislation passed in the House. President George Bush signs the National Historic Site Act of 1992 into law on Oct. 26, 1992.

Spring 1993

NPS appoints a planning team including representation from the Brown Foundation. Planning team begins work on site. Brown Foundation enters into a Cooperative Agreement with the National Park Service for planning and programs.

1994- 2004

Planning process continues to determine management, historic interpretation and building usage. Projected opening for the National Historic Site is May 2004. The old school will be used as a visitor's center with interpretive exhibits, special programs and a resource library.