

Equity in Education is the Order of the Day: A Critical Analysis of Desegregation Laws and the U.S. Education System

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“We must learn that passively to accept an unjust system is to cooperate with that system, and thereby to become a participant in its evil.”

— Martin Luther King Jr.

Abstract

This study critically analyzes the impact of desegregation on the United States public education system, highlighting the persistent structural inequities that continue to disproportionately affect African American and other marginalized student populations. Although the landmark *Brown v. Board of Education*, (1954) decision formally ended legalized segregation, it failed to dismantle systemic conditions such as, unequal funding for schools, de facto segregation inside schools, opportunity gaps, and disciplinary disparities that limit equitable access to educational opportunity. Using a historical and critical policy analysis methodology grounded in Critical Race Theory (CRT) and informed by Competency-Based Antiracist Education (CARE), this study analyzes the extent to which federal education policies including the Individuals with Disabilities Education Act (IDEA, 1975), No Child Left Behind (NCLB, 2001), and Every Student Succeeds Act (ESSA, 2015) have sought to promote equity while producing uneven and unsustainable outcomes. A comprehensive review of legal decisions, federal policy documents, and peer-reviewed scholarship reveals that these reforms often emphasized accountability and access without adequately addressing racialized resource disparities and culturally responsive practices. The findings

demonstrate that desegregation alone is insufficient as a sustainable framework for educational reform and the researchers argue for an equity-centered approach that prioritizes fair resource allocation, antiracist pedagogy, and systemic accountability.

Keywords: Desegregation, Equity in Education, Educational Policy, Societal Inequity

Introduction

What ever happened to “all deliberate speed”? This phrase, articulated by the U.S. Supreme Court was intended to guide the desegregation of public schools across the United States (*Brown v. Board of Education*, 1955). More than seven decades later, however, school desegregation remains incomplete, with cases still unresolved. One such case *Moore v. Tangipahoa Parish School Board*, (1969), provides a critical context for this study. Three of the authors have professionally engaged in this case in complementary roles: one served as a court-appointed educational expert, another conducted an equity-centered policy review, and the third supported equity-based recommendations through empirical research. Collectively, the research team brings extensive professional experience in education and law with shared lived experiences as African American scholars, which further informs their analytical perspective. These combined experiences serve as a foundation for this study and underscore its premise that desegregation represents a critical historical milestone. Yet, it is insufficient as a standalone framework for addressing the enduring structural inequities embedded in the U.S. public education system. Accordingly, this study advances an equity-centered approach as a more effective framework for meeting the needs of all students.

Educational equity remains one of the most urgent and persistent challenges in the United States. This research studies the extent to which the legal desegregation of public schools addressed the systemic barriers to educational equity for African American and other marginalized student populations, and how an equity-centered framework could more effectively address these enduring disparities. Despite landmark civil rights victories and decades of reform efforts, African American students and other marginalized student groups continue to experience disproportionate disparities in educational access, opportunity, and outcomes. These inequities are not anomalous or incidental; rather, they are the result of historical, legal, and social structures that have systematically privileged some groups while they disenfranchised others. This article is the second in a series examining equity in education and situates contemporary disparities within a broader

historical and policy context. The analysis begins with the 1896 Supreme Court decision *Plessy v. Ferguson*, (1896) which legitimized racial segregation through the doctrine of “separate but equal” (*Plessy v. Ferguson*, 1896). This legal precedent remained in force until *Brown v. Board of Education*, (1954), when the Supreme Court unanimously declared segregated schools inherently unequal and therefore unconstitutional. Although *Brown v. Board of Education*, (1954) is widely regarded as a transformative moment in the struggle for racial justice, its promise of equal educational opportunity has remained largely unrealized, particularly for African American students and other marginalized populations.

National concern about persistent racial inequality was further amplified by the 1968 report of the National Advisory Commission on Civil Disorders, commonly known as the Kerner Commission. The commission concluded that the United States was “moving toward two societies, one black, one white separate and unequal” (Kerner Commission, 1968, p. 1), identifying education as a central site of structural inequity. In response, a series of federal policies were enacted to promote educational equity, including the Elementary and Secondary Education Act (ESEA, 1965), Section 504 of the Rehabilitation Act (1973), and the Individuals with Disabilities Education Act (IDEA, 1975). These policies sought to expand access and address the needs of historically underserved students, including students of color and students with disabilities. Subsequent reforms continued to emphasize equity, though often through accountability-driven mechanisms. The 1983 report *A Nation at Risk* reframed educational inequality as a national crisis, calling for systemic reform and increased standards. The No Child Left Behind Act (NCLB, 2001) intensified this approach through standardized accountability measures aimed at closing achievement gaps. More recently, Every Student Succeeds Act (ESSA, 2015) reaffirmed a federal commitment to equity while granting states greater flexibility in implementation. Under the Biden administration, Executive Order 13985, (2021) further clarified the federal definition of equity.

Guided by this historical context, this research addresses the following question: *Why should equity rather than desegregation serve as the guiding principle of the contemporary U.S. education system?* To explore this question, the study employs a historical and critical policy analysis grounded in Critical Race Theory (CRT) and informed by the Competency-Based Antiracist Education (CARE) framework. Specifically, it focuses on the CARE core competency of analysis, which calls for sustained examination of how racism is embedded within educational policies, practices, and institutions over time. By tracing the evolution of education reform from

desegregation to present-day equity initiatives, this study identifies the systemic mechanisms that have sustained racial and social inequities despite formal legal advances. While desegregation represented a critical milestone in the pursuit of educational justice, this research contends that equity-centered reform is essential for creating a more inclusive, responsive and sustainable public education system for all students in the United States.

Problem Statement

Despite the legal end of segregation following the *Brown v. Board of Education*, (1954) decision, the desegregation of public schools in the United States has not resolved the historical and ongoing disparities in educational access and opportunities among African American and other marginalized student groups. While *Brown v. Board of Education*, (1954) signaled a legal mandate for integration, African American students and other marginalized groups continue to face significant educational inequities, including disproportionately lower academic achievement compared to their White and Asian peers (Orfield & Frankenberg, 2014; Ladson-Billings, 2006). The Individuals with Disabilities Education Act (IDEA, 1975) was enacted to ensure appropriate accommodations for students with disabilities and to promote equitable access to education. However, African American students have been historically overrepresented in special education programs and continue to experience lower rates of academic achievement than their counterparts (Skiba et al., 2006). These patterns suggest that while desegregation addressed legal segregation, it has not dismantled the systemic barriers that contribute to educational inequity. Desegregation, as a singular solution, is no longer sufficient to address the deeply rooted disparities that persist in the American public education system. Vestiges of segregation remain embedded in school funding, disciplinary practices, curriculum access, teacher quality, and facilities. Therefore, this study highlights the urgent need to move beyond desegregation toward equity-centered frameworks that actively respond to the specific needs of African American and other marginalized student populations.

Conceptual Framework

The conceptual framework used in this study analyses educational laws and societal structures through the lens of Critical Race Theory (CRT) and Competency-Based Antiracist Education (CARE) to determine allies and enemies of equity in education (see Figure 1).

Figure 1:

Conceptual Framework



OpenAI. (2026). Conceptual Framework (Image) and Perplexity AI (2026)

The conceptual framework image presented in Figure 1. was supported by ChatGPT (2026) and Perplexity AI (2026). The persistent inequities in educational opportunity that remain despite the legal dismantling of segregation following *Brown v. Board of Education*, (1954) are analyzed. Together, the CRT and CARE frameworks provide both the critical analytical lens and the practice-oriented structure necessary to understand and evaluate how educational policies and institutional practices shape equitable access to educational opportunities for African American and other historically marginalized students.

Critical Race Theory serves as the foundational theoretical lens for this study. Originating in legal scholarship, CRT asserts that racism is deeply embedded within the structures, policies, and practices of institutions, including public education. From this perspective, the desegregation mandate established by *Brown v. Board of Education*, (1954) represents an important legal milestone; however, CRT argues that legal reform alone does not dismantle systemic inequities that have developed over time. CRT therefore enables this study to critically analyze how race and power operate within educational systems by examining the ways that policy, resource allocation,

and institutional practices continue to produce unequal educational opportunities. Central to this framework is the recognition that structural inequities often persist through seemingly race-neutral policies and practices. Thus, understanding these inequities requires centering the lived experiences and perspectives of African American students and communities. By foregrounding these perspectives, CRT challenges the prevailing narratives that suggest desegregation alone has resolved racial inequities in education.

While CRT provides the critical lens for identifying and interpreting systemic inequities, Competency-Based Antiracist Education (CARE) offers a complementary framework that focuses on the skills and institutional capacities necessary to address those inequities. The CARE Model (Copeland, 2025) was applied as a complementary competency-based framework to assess the extent to which educational systems cultivate the institutional and professional capacities necessary for equity-oriented reform. CARE operationalizes antiracist education through three interrelated competencies: Recognition (identifying and understanding racism in its individual and systemic forms), Analysis (critically examining the causes, impacts, and structures of racism), and Change (engaging in deliberate actions to dismantle inequity). In this study, particular emphasis was placed on the analysis competency, defined as the capacity to critically examine systems, policies, and outcomes related to racism and antiracism while attending to their interaction with cultural, psychological, and institutional contexts (Copeland, 2025). CARE provided a structured lens for evaluating the degree to which educational policies, practices, and reforms support or inhibit equity-oriented outcomes.

The integration of CRT and CARE forms the conceptual foundation of this study. CRT provides the historical and structural understanding of racial inequity, while CARE offers a framework for evaluating and strengthening institutional practices that promote antiracist outcomes. Through this combined perspective, the study examines how educational policies and structures shape access to opportunity and assesses the extent to which equity-centered approaches can more effectively address systemic disparities rather than desegregation alone.

Within this conceptual framework, desegregation is understood not as the endpoint of educational equity, but as one component within a broader system of policies and institutional practices that influence educational outcomes. The framework therefore guides the study in examining the conditions that continue to affect educational opportunity including resource allocation, institutional practices, and community supports while also evaluating how equity-

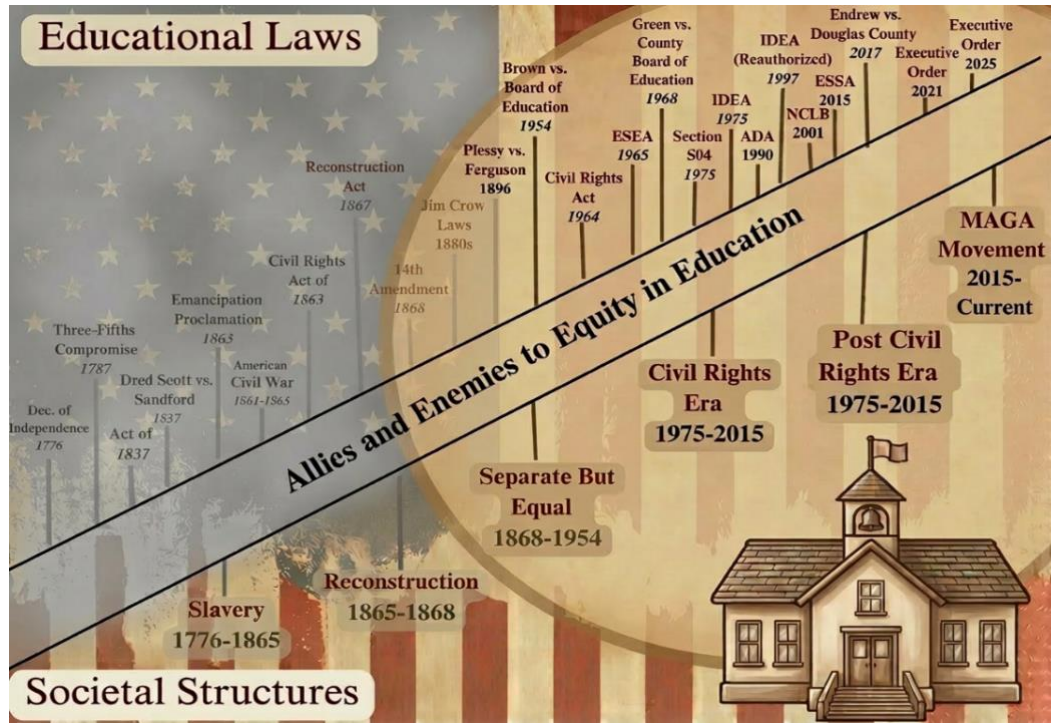
focused strategies can disrupt patterns of systemic inequity. By integrating CRT and CARE, this conceptual framework aligns directly with the study's research questions and provides a structured approach for analyzing both historical and contemporary educational policies. It enables the study to move beyond a narrow focus on desegregation to consider how equity-driven approaches, supported by critical analysis and competency-based institutional change, can more effectively respond to persistent disparities in educational access and outcomes.

Literature Review

The evolution of desegregation and educational equity in the United States reflects a complex and often-contradictory history in which legal reforms and societal structures have simultaneously advanced and constrained educational opportunities for African American and other marginalized students. As illustrated in Figure 2, the historical trajectory of this study originates with the *Plessy v. Ferguson* (1896) decision. This ruling established the "separate but equal" doctrine, institutionalizing racial segregation and entrenching systemic inequities in educational access.

Figure 2

Historic Timeline of Societal Structures and Educational Laws that are Allies and Enemies to Equity in Education.



Adapted from: Hatcher, J. W., III, Love, A. S., Sinclair, A., Brown, J., Callands, T., & Hatcher, J. (2025). *A Historical Review of Education in the United States of America from 1776 to 2025*. (Submitted for publication).

Separate But Equal

Although *Brown v. Board of Education*, (1954), formally dismantled legalized segregation, subsequent research (Reardon and Owens, 2014) demonstrated that desegregation alone did not fully address disparities in educational opportunities or outcomes for marginalized student populations. Following the *Brown v. Board of Education*, (1954) case, federal initiatives such as the Civil Rights Act, (1964), Elementary and Secondary Education Act (ESEA, 1965) sought to expand access to educational resources and promote greater equity, particularly for students from historically underserved communities. In the Post Civil Rights era, accountability-focused policies including No Child Left Behind (NCLB, 2001) and Every Student Succeeds Act (ESSA, 2015) further attempted to address achievement gaps by emphasizing standardized assessment and school performance. While these policies signaled a shift toward outcome-based reform, the literature

reveals persistent racial and socioeconomic disparities, highlighting the limitations of desegregation and accountability measures in dismantling structural inequities.

More recent federal efforts, including Executive Order 13985 (Biden, 2021), have explicitly defined equity as the,

“consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; (Section 2) ”

Other researchers have described equity in education as the systematic removal of barriers that prevent marginalized groups from accessing educational opportunities (Rehfeld et al., 2024), signaling a move toward equity-centered frameworks rather than race-neutral integration policies. For the purposes of this study, the researchers have defined equity as the fair distribution of available resources based on the differentiated needs of students, educators, schools, and communities. However, the sociopolitical climate of the Make America Great Again (MAGA) era, characterized by heightened polarization and resistance to equity-focused initiatives, has complicated the implementation and interpretation of such policies. Contemporary debates, including those surrounding Executive Order 14151 (Trump, 2025) which states that designated federal agents, “shall coordinate the termination of all discriminatory programs, including illegal DEI and "diversity, equity, inclusion, and accessibility" (DEIA) mandates, policies, programs, preferences, and activities in the Federal Government, under whatever name they appear” (Section 2). This executive order further underscores the growing tensions between equity-driven reform and political resistance.

Plessy v. Ferguson, (1896)

The Supreme Court’s decision in *Plessy v. Ferguson*, (1896) upheld a Louisiana statute requiring racial segregation on public transportation and established the “separate but equal” doctrine as constitutionally permissible (*Plessy v. Ferguson*, 1896). This ruling provided the judicial foundation for the expansion and entrenchment of Jim Crow laws, legitimizing racially segregated systems across education, housing, transportation, and other domains of public life. By framing segregation as legally acceptable as long as facilities were ostensibly equal, the decision reinforced and institutionalized racial hierarchy under the authority of law. Segregation is defined

as the enforced separation of racial, ethnic, or social groups and remained legally sanctioned in the United States for nearly six decades following the Court's ruling (Merriam-Webster, 2025).

Brown v. Board of Education of Topeka, (1954)

The Supreme Court's ruling in Board of Education, (1954) marked a pivotal shift in U.S. education policy by declaring that segregated schools are inherently unequal and violate the Equal Protection Clause of the Fourteenth Amendment. By overturning Plessy v. Ferguson, (1896), the Supreme Court rejected a legal doctrine that had long justified racial hierarchies and denied African American students equitable access to a quality education. While the Brown v. Board of Education, (1954) case generated widespread optimism about the law's capacity to promote justice, it also initiated a prolonged and contested process of desegregation. Resistance to integration, particularly in the South, significantly undermined the ruling's impact. Efforts such as the Southern Manifesto and the doctrine of "Massive Resistance," led by influential politicians, encouraged states to challenge federal authority through interposition and delayed meaningful school integration (Legal Defense Fund, 2025; Wells, 1956). Additionally, desegregation produced unintended consequences, most notably the displacement of African American educators. Between 1954 and 1965, approximately 38,000 Black teachers and administrators were systematically removed from their positions across 17 states, resulting in the erosion of educational leadership and mentorship within Black communities (Milner & Howard, 2004).

Civil Rights Era

The Civil Rights Era marked a critical turning point in the federal government's role in addressing racial inequality in public education, as policymakers sought to dismantle state-sanctioned segregation and expand educational, economic, and other opportunities for African American and other marginalized people. Following Brown v. Board of Education, (1954), it became increasingly clear that judicial mandates alone were insufficient to remedy entrenched inequities rooted in segregation, decentralized governance, and unequal resource distribution. In response, mid-1960s federal legislation moved beyond formal desegregation by introducing enforcement mechanisms, federal oversight, and targeted investments in historically marginalized communities.

The Civil Rights Act (1964)

The Civil Rights Act of 1964 represented a pivotal federal effort to confront entrenched racial discrimination by establishing enforceable mechanisms to mandate desegregation, prohibit

employment discrimination, and uphold the Equal Protection Clause of the Fourteenth Amendment (National Archives, 2022; U.S. Equal Employment Opportunity Commission [EEOC], n.d.). Enacted amid strong resistance from white Southern leaders seeking to preserve racial hierarchies, the Civil Rights Act of 1964 expanded federal oversight of public institutions and contributed to measurable progress in school desegregation and educational access. The legislation also laid the foundation for subsequent equity-oriented reforms, including Title IX of the Education Amendments, the Individuals with Disabilities Education Act (IDEA, 1975), and the Bilingual Education Acts (BEA, 1968), which extended protections and support to historically marginalized student populations (Reardon & Owens, 2014).

Elementary and Secondary Education Act (ESEA, 1965)

In addition to the Civil Rights Act (1964), the Elementary and Secondary Education Act (ESEA, 1965) significantly expanded the federal role in education by establishing a supervisory presence over state-run school systems and directing targeted funding to districts serving low-income communities (McGuinn, 2015). ESEA, (1965) marked a shift toward compensatory education, prioritizing schools with high concentrations of marginalized students, supporting educator professional development, establishing accountability measures, and funding programs for English learners and Indigenous students (Skinner, 2025). Together, the Civil Rights Act (1964) and ESEA, (1965) represented a coordinated federal response to inequities produced by decades of segregation and decentralized educational governance that disproportionately disadvantaged African American and low-income students.

School Choice, Federal Oversight, and Magnet Programs

The Supreme Court's ruling in *Brown v. Board of Education*, (1954), marked a formal repudiation of state-sanctioned racial segregation in public education; however, subsequent legal and policy developments revealed the limits of judicial mandates in producing sustained educational equity. The Court's follow-up decision in *Brown v. Board of Education*, (1955), which directed states to dismantle segregated systems "with all deliberate speed," introduced ambiguity that enabled widespread resistance and delay (National Archives, 2024). As overt resistance to desegregation became less socially acceptable, opposition increasingly shifted toward ostensibly race-neutral policy mechanisms, particularly school choice, and market-based reforms. Drawing on free-market ideology, Milton Friedman's advocacy for vouchers and parental choice reframed education as a consumer-driven enterprise, reducing governmental responsibility for integration

and shifting the burden of equity onto individual families (Viteritti, 2012). In districts operating under desegregation orders, such policies often undermined integration efforts while maintaining the appearance of legal compliance. Magnet schools emerged in the late 1960s as a complementary and often court-approved response to resistance against mandatory reassignment and busing. Designed as voluntary integration tools, magnet programs offered specialized curricula intended to attract White, middle-class families into racially isolated districts. Their constitutionality was upheld in cases such as *Morgan v. Kerrigan* (1976), reinforcing magnet schools as an acceptable alternative to compulsory desegregation. However, empirical research indicates that magnet programs frequently produced inequitable outcomes. Selective admissions criteria, transportation barriers, and unequal access to information disproportionately excluded low-income families and students of color (Goldring & Smrekar, 2000).

Post-Civil Rights: Section 504 Rehabilitation Act, (1973), IDEA, (1975), and ADA, (1990)

The latter half of the twentieth century marked a major expansion of disability rights in the United States, reshaping public education through a series of civil rights and entitlement-based statutes. Section 504 of the Rehabilitation Act (1973), the Individuals with Disabilities Education Act (IDEA, 1975), and the Americans with Disabilities Act, (ADA, 1990) collectively established legal protections intended to promote access, inclusion, and nondiscrimination for students with disabilities. Section 504 of the Rehabilitation Act (1973) constituted a defining, structural change within the educational system by prohibiting disability-based discrimination in federally funded programs, including public schools. As a civil rights statute, Section 504 requires schools to provide students with disabilities a free and appropriate public education (FAPE) through reasonable accommodations in general education settings (U.S. Department of Education, 2025). However, Section 504 does not include dedicated federal funding; instead, compliance is enforced through the Office for Civil Rights and the potential withdrawal of federal assistance (DeBettencourt, 2002). IDEA, (1975) expanded federal responsibility beyond nondiscrimination by establishing an entitlement to specialized instruction, procedural safeguards, and individualized education programs (IEPs) for students with disabilities. Grounded in the Equal Protection Clause of the Fourteenth Amendment, IDEA, (1975) mandated access to education in the least restrictive environment (LRE), dismantling state laws that had previously excluded students with disabilities from public schooling altogether (Pfende, 2024). Despite these advances, extensive research indicates that IDEA, (1975) has not operated equitably across racial groups. African American

students are disproportionately identified in subjective disability categories and overrepresented in restrictive placements and exclusionary disciplinary practices (Skiba et al., 2012).

The Americans with Disabilities Act (ADA, 1990) extended disability rights beyond education, representing a broader civil rights commitment to inclusion and access across public and private institutions. President George H. W. Bush framed the ADA, (1990) as a moral reckoning, asserting that it would dismantle the “shameful wall of exclusion” faced by Americans with disabilities (ADA, 1990). Title II of the ADA, (1990) is particularly consequential for education, requiring state and local governments to ensure equal access to programs and services for individuals with disabilities. In educational contexts, this mandate has expanded access to auxiliary aids and services such as captioning, sign language interpreters, and physical accessibility accommodations. Unlike IDEA, (1975), the ADA, (1990) addresses the broader ecosystem surrounding schooling, including transportation, public services, and postsecondary institutions. Its enforcement through the Office for Civil Rights aligns it closely with Section 504’s civil rights orientation. The ADA, (1990) Amendments Act further strengthened these protections by broadening the definition of disability, enabling more students to qualify for accommodations and legal protections (Hatcher et al., 2025).

Individuals with Disabilities Education Act Reauthorization (IDEA, 1997) and NCLB, (2001)

The 1997 reauthorization of the Individuals with Disabilities Education Act (IDEA, 1997) emerged in response to the expansion of exclusionary discipline practices in U.S. public schools, particularly the widespread adoption of zero-tolerance policies. Although now closely associated with education, zero tolerance originated in federal drug enforcement and was later adapted for school discipline (Skiba, 2020). Its institutionalization in education occurred through the Gun-Free Schools Act (1994), which mandated a one-year expulsion for students found in possession of a weapon (Public Law 103-382). IDEA, (1997) reauthorization sought to mitigate the exclusionary effects of zero tolerance by introducing procedural safeguards intended to protect students with disabilities from inappropriate disciplinary removal. These safeguards included requirements for Functional Behavioral Assessments (FBAs) and Manifestation Determination Reviews (MDRs), designed to ensure that disciplinary decisions accounted for whether a student’s behavior was directly related to their disability (Crapparo, 2003; Raj, 2018). One central objective of these provisions was to reduce the disproportionate suspension and expulsion of students with disabilities. Despite their intent, empirical evidence suggests that IDEA, (1997) disciplinary

safeguards have had limited impact on reducing disproportionality. Raj (2018) argues that MDRs frequently operate as compliance-oriented procedures, narrowly focused on disability classification rather than examining whether schools implemented Individualized Education Programs (IEPs) with fidelity or provided adequate behavioral supports. As a result, students with disabilities continue to be suspended at more than twice the rate of their nondisabled peers. The enactment of the No Child Left Behind Act (NCLB, 2001) further intensified exclusionary disciplinary dynamics by introducing high-stakes accountability tied to standardized testing and Adequate Yearly Progress (AYP).

Discipline as De Facto Segregation: Moore v. Tangipahoa Parish School Board (1969)

The prolonged litigation in *Moore v. Tangipahoa Parish School Board*, (1969) provides a critical case through which to examine how discipline functioned as a modern mechanism of segregation following the formal dismantling of dual school systems. Although *Brown v. Board of Education*, (1954) rendered de jure segregation unconstitutional, *Moore v. Tangipahoa Parish School Board*, (1969) illustrates how racially disparate discipline practices operated as de facto segregation, systematically excluding African American students particularly those with disabilities from equitable educational access. While early resistance to desegregation often involved student assignment manipulation, later resistance found its way into disciplinary frameworks. By the late twentieth century, zero-tolerance policies provided districts under desegregation orders, including Tangipahoa Parish, with a race-neutral mechanism to remove African American students from integrated settings without overtly violating court mandates. Research demonstrates that zero-tolerance discipline had no measurable impact on school safety but produced disproportionate exclusions of African American students (Heitzeg, 2009; Skiba, 2020). In *Moore v. Tangipahoa Parish School Board*, (1969), exclusionary discipline functioned as a sorting mechanism, redirecting African American students into alternative placements, special education programs, or the juvenile justice system. IDEA, (1997) procedural safeguards failed to disrupt these patterns, as MDRs narrowly assessed disability-behavior links while diverting attention from institutional responsibility for culturally responsive supports and IEP implementation (Raj, 2018). NCLB, (2001) accountability framework further exacerbated these dynamics by incentivizing exclusion as a strategy for managing performance pressures. The intersection of desegregation litigation, zero-tolerance discipline, special education policy, and federal accountability in *Moore v. Tangipahoa Parish School Board*, (1969) demonstrates how

segregation adapted rather than disappeared. Discipline operated as a de facto mechanism of exclusion, undermining the substantive goals of desegregation while maintaining the appearance of legal compliance. In relation to this study's research questions, this synthesis underscores that desegregation and formal access alone are insufficient to address systemic educational inequities. When discipline and accountability policies are divorced from antiracist competencies, they function as structural barriers to educational opportunity.

Attempts to Move Towards Equity

Over the past two decades, the federal educational policy landscape has evolved in response to persistent tensions among standardization, local autonomy, and equity in public schooling. The Every Student Succeeds Act (ESSA, 2015) represents a significant recalibration of this balance, addressing limitations of the No Child Left Behind Act (NCLB, 2001) by explicitly foregrounding equity while restoring greater state and local flexibility (Darling-Hammond et al., 2016). ESSA, (2015) affirms the federal government's responsibility to ensure that disadvantaged and high-need students, particularly those from racialized and low-income communities, have access to high-quality instruction, equitable resources, and accountability systems grounded in transparency. Central to this framework is the continued requirement for annual statewide assessments disaggregated by subgroups, a mechanism intended to surface inequities in opportunity and outcomes that were often obscured under prior policy regimes (U.S. Department of Education, 2015).

Complementing ESSA, (2015) accountability provisions, the Supreme Court's decision in *Endrew F. v. Douglas County School District RE-1*, (2017) marked a pivotal shift in special education law with particular relevance for students from historically marginalized groups. Prior to *Endrew F. v. Douglas County School District RE-1*, (2017), the *de Minimis* standard permitted minimal educational progress for students with disabilities, a threshold that often-reinforced inequities for students of color disproportionately identified for special education services. By requiring that Individualized Education Programs (IEPs) be "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances," the Supreme Court established a more rigorous and aspirational standard for educational benefit (Kern et al., 2019). ESSA, (2015), *Endrew F. v. Douglas County School District RE-1*, (2017), and Executive Order 13985 (Biden, 2021) provide policy scaffolding for equity-oriented reform, but their effectiveness depends on the integration of antiracist competencies, proactive leadership, and continuous

accountability at state and local levels. Collectively, ESSA, (2015), *Endrew F. v. Douglas County School District RE-1*, (2017), and Executive Order 13985 constitute a contemporary federal framework for advancing educational equity through oversight, accountability, and individualized, student-centered mandates

MAGA Movement

Executive Order 14151 (Trump, 2025) represents a significant departure from the equity-oriented trajectory established by prior federal policy and jurisprudence, including Executive Order 13985 (Biden, 2021), Every Student Succeeds Act (ESSA, 2015), and special education rulings such as *Endrew F. v. Douglas County School District RE-1*, (2017). Policies such as Executive Order 14151 (2025) dismantle and undermine these mechanisms, as well as, the oversight institutional capacity to cultivate antiracist competencies and accountability structures, while disproportionately affecting African American, Indigenous, Latino, low-income students, and students with disabilities (Biden, 2021; Kern et al., 2019). The order also weakens federal accountability structures embedded in education policy. ESSA, (2015) emphasis on disaggregated data and federal oversight enabled the systematic tracking of disparities in academic outcomes, while *Endrew F. v. Douglas County School District RE-1*, (2017) and IDEA, (1997) reforms strengthened requirements for individualized, equitable programming in special education. The elimination of DEI offices and equity action plans reduces the federal government’s capacity to monitor compliance with these mandates, thereby eroding both legal and practical safeguards against inequitable educational outcomes.

Methodology

To complete this study, the researchers analyzed key laws, court cases, and societal structures that have shaped the U.S. education system. Researchers then synthesized these things to categorize their impact on educational equity. Finally, the researchers evaluated each law, court case, and societal structure to determine whether it serves as an ally, an enemy (or both) to equity in education, providing clear justification for each classification. This work was guided by the following research questions:

1. How have educational laws and societal structures influenced equity in educational access and outcomes for African American and other marginalized students?
2. What educational laws and societal structures have been allies or enemies to educational equity for African American and other marginalized students?

3. How do equity-focused educational policies address persistent disparities that remain despite desegregation efforts?

This study employed a Historical and Critical Policy Analysis to examine the historical and contemporary development of educational equity and desegregation in the United States, with particular attention to their effects on African American and other marginalized student populations. Critical narrative synthesis is a qualitative review methodology that integrates historical analysis, policy scholarship, and empirical research to identify patterns, contradictions, and power dynamics across bodies of literature rather than aggregating findings or evaluating intervention effectiveness (Dixon-Woods et al., 2006). This approach enables researchers to synthesize diverse forms of evidence while critically interrogating the assumptions, ideologies, and social contexts embedded within the literature. Drawing on traditions of historical inquiry, this approach conceptualizes educational policy as a socially constructed process shaped by political interests, institutional power, and racialized ideologies. Historical analysis in this context extends beyond chronological description to interpret the sociopolitical contexts, motivations, and assumptions that have influenced educational law and practice over time (Johnson & Christensen, 2004). Document analysis served as the primary methodological strategy for this study. This approach involved an interpretive and critical examination of peer-reviewed scholarship, federal education law, and policy documents. Through the systematic review and interpretation of these sources, the analysis identified recurring themes, patterns, and insights related to the historical and contemporary dynamics of educational equity and desegregation.

Data Collection

Data sources were identified through targeted searches of major education and social science databases, including ERIC, JSTOR, ProQuest, Lexis Nexis, Westlaw, and Google Scholar, as well as through citation tracking of foundational texts. Materials were selected based on their relevance to (a) educational equity and desegregation policy, (b) federal disability and accountability legislation, (c) racialized outcomes in school discipline and special education, and (d) antiracist and equity-centered educational frameworks. The review prioritized empirical studies, legal analyses, and theoretical scholarship that examined policy implementation and structural effects rather than policy intent alone.

Data Analysis

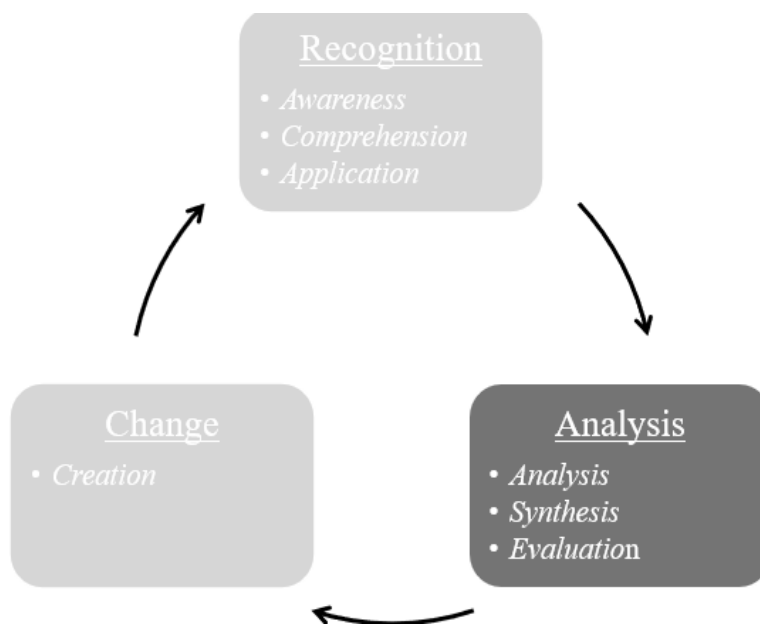
Data analysis was guided by Critical Race Theory (CRT) and the Competency-Based Antiracist Education (CARE) Model, which together provided an interpretive framework for examining how ostensibly race-neutral education policies have produced racially stratified outcomes. Originating in legal scholarship, CRT centers race as a structural feature of U.S. institutions and emphasizes the role of law and policy in sustaining systemic inequality (Ledesma & Calderón, 2015). In this study, CRT informed the analysis of how desegregation mandates, disability legislation, and accountability reforms have functioned either to challenge or reproduce racial hierarchies within the education system.

While CRT provides the critical lens for identifying and interpreting systemic inequities, the CARE Model offers a complementary framework focused on the competencies and institutional capacities required to address those inequities. CARE emphasizes the development of skills that enable educators and educational institutions to recognize, analyze, and dismantle structural barriers to equity (Copeland, 2025). Within this study, particular attention is given to the analysis competency of the CARE framework, which involves critically examining policies, institutional practices, and decision-making processes to determine how they contribute to or mitigate racial disparities in educational outcomes. This analytical competency supports the evaluation of how educational systems operationalize equity in practice, including how resources are allocated, how opportunities such as advanced coursework are distributed, and how institutional practices shape student experiences. Research sources were analyzed through an iterative process of thematic interpretation guided by the constructs of CRT and CARE. Documents were examined for recurring themes related to structural exclusion, procedural compliance, institutional accountability, and the racialization of disability and discipline.

Historical and contemporary sources were synthesized to trace continuities across policy eras, highlighting how resistance to desegregation has reemerged in later reforms through race-neutral mechanisms such as exclusionary discipline and special education classification. Figure 3 illustrates the conceptual intersection of Bloom's Taxonomy and the CARE Model, demonstrating how competency-based learning objectives align with higher-order cognitive processes to support antiracist educational practice (Anderson & Krathwohl, 2001; Copeland, 2025). Figure 3. further illustrates the intersection of Bloom's Taxonomy and the CARE Theoretical Model, adapted from Anderson and Krathwohl (2001) and Copeland (2025). This research series on equity in education uses a similar what, so, what, and now, what framework to engage this very broad topic.

Figure 3

The Intersection of Bloom's Taxonomy and the CARE Theoretical Model



Adapted from: Anderson and Krathwohl (2001), Copeland (2025), and Hatcher et al., 2025. Rigor was established through theoretical coherence, transparency of analytic framing, and triangulation across legal, policy, and empirical sources. The aim of this study is for analytic depth by illuminating structural patterns that shape educational inequities. As a critical narrative synthesis, the study does not claim exhaustive coverage of all relevant literature nor does it generate original empirical data. Findings are interpretive and explicitly aligned with CRT and the CARE framework, facilitating a critical and competency-based evaluation of systemic inequities and opportunities for transformative reform.

Findings

This analysis examines the historical development and contemporary implications of major U.S. educational laws, court decisions, and federal policies through the combined lenses of Critical Race Theory (CRT) and Competency-Based Antiracist Education (CARE). The findings synthesize key legal milestones including *Plessy v. Ferguson*, (1896), *Brown v. Board of*

Education, (1954), *Moore v. Tangipahoa Parish School Board*, (1969), Elementary and Secondary Education Act (1965), Individuals with Disabilities Education Act (1975), No Child Left Behind Act (2001), Every Student Succeeds Act (2015), and *Endrew F. v. Douglas County School District RE-1*, (2017) to examine how legal reforms have shaped educational access, opportunity, and outcomes for historically marginalized students. Although these policies and rulings represent significant milestones in the pursuit of educational equity, the analysis demonstrates that legal reform alone has not eliminated systemic disparities in schooling. Persistent patterns of unequal school funding and distribution of resources, de facto segregation within and between schools, opportunity gaps, and disproportionate disciplinary practices continue to limit equitable access to high-quality educational opportunities. The prolonged litigation in *Moore v. Tangipahoa Parish School Board*, (1969) is one of the longest-running school desegregation cases in the United States and it illustrates how desegregation mandates established after *Brown v. Board of Education*, (1954) often failed to translate into sustained systemic change at the local level.

Through the lens of CRT, these enduring patterns reflect the structural nature of racism within educational institutions and policy implementation. CARE complements this analysis by emphasizing the institutional competencies such as equity literacy, culturally responsive pedagogy, restorative disciplinary practices, and accountability for disproportionality necessary to translate legal mandates into equitable educational practice. Organized chronologically and thematically, the findings illustrate how each legal and policy development expanded educational access while simultaneously revealing the limitations of compliance-based reform. By integrating CRT's structural analysis with CARE's focus on analytical competencies, this section highlights both the progress achieved through educational policy reform and the continuing need for equity-centered approaches capable of dismantling systemic barriers to opportunity and access for African American and other marginalized students.

Separate but Equal

Plessy v. Ferguson, (1896) established the "separate but equal" doctrine, legitimizing racial segregation across public institutions, including schools. Although the case addressed transportation, its constitutional interpretation under the Fourteenth Amendment provided legal justification for segregated schooling for decades. Through the lens of Critical Race Theory (CRT), the *Plessy v. Ferguson*, (1896) case illustrates how legal systems normalize and institutionalize racial hierarchy by embedding inequity within law while presenting such arrangements as neutral

or lawful (Delgado & Stefancic, 2017). The doctrine enabled profound disparities in school funding, facilities, instructional resources, and access to opportunity for African American students. CRT scholars interpret the *Plessy v. Ferguson*, (1896) case as an example of the permanence of racism, demonstrating how racial inequality becomes structurally embedded in legal and educational institutions. The lens of Competency-Based Antiracist Education (CARE) underscores the necessity for institutions to develop competencies that identify and dismantle systemic inequities rather than merely complying with formal legal mandates.

Brown v. Board of Education, (1954) overturned the legal foundation of school segregation, declaring that racially segregated public schools are inherently unequal. The ruling represented a major legal victory in the struggle for civil rights and educational access. CRT scholars, however, emphasize that *Brown v. Board of Education*, (1954) also illustrates the principle of interest convergence, suggesting that desegregation gained judicial support partly because it aligned with broader national interests during the Cold War and growing international scrutiny of American racial inequality (Bell, 1980). Although the decision established legal equality, it did not dismantle structural inequities embedded in school funding mechanisms and local governance. Consequently, many districts implemented delayed or partial desegregation strategies, contributing to persistent de facto segregation within schools. CARE highlights that legal mandates alone cannot ensure equity; educational institutions must develop the competencies necessary to implement culturally responsive policies, equitable resource allocation, and inclusive instructional practices capable of translating legal reform into meaningful opportunity.

Civil Rights Era

Federal legislation during the 1960s marked an important shift toward addressing structural inequities in American education. Civil Rights Act (1964) prohibited discrimination in federally funded programs, while Elementary and Secondary Education Act (1965) directed federal funding toward schools serving low-income students through Title I. From a CRT perspective, these reforms demonstrate both the potential and limitations of federal intervention. Although they expanded resources and created mechanisms to challenge discrimination, their implementation remained constrained by local control, institutional resistance, and unequal resource distribution. School Choice and Magnet programs were also framed as expanding opportunity, through the lens of CRT this scholarship demonstrates that school choice frequently reproduces racial and socioeconomic stratification by privileging families with greater access to information,

transportation, and social capital (Ladson-Billings, 2006). As a result, increased funding did not consistently eliminate opportunity gaps or resource inequities. CARE emphasizes that achieving equity requires institutional competencies such as equity literacy, culturally responsive leadership, and accountability mechanisms capable of identifying and addressing systemic disparities in resource allocation and student outcomes.

Despite federal legislation and judicial rulings, many school districts resisted meaningful desegregation for decades. This pattern is illustrated by long-running desegregation litigation such as *Moore v. Tangipahoa Parish School Board*, (1969) one of the longest ongoing school desegregation cases in the United States. Filed in the late 1960s by African American families, the case challenged the continued operation of a racially segregated school system despite the mandates of *Brown v. Board of Education*, (1954). The prolonged duration of federal oversight demonstrates how segregation persists through policy delay, selective compliance, and institutional resistance. CRT scholars interpret such cases as evidence of structural determinism, highlighting how legal frameworks alone cannot dismantle entrenched systems of inequality. CARE underscores that equitable reform requires institutional capacity building in areas such as culturally responsive leadership, equitable student assignment policies, and inclusive instructional practices.

Post-Civil Rights

Federal disability legislation expanded educational rights for students with disabilities, beginning with Section 504 of the Rehabilitation Act (1973) and later the Individuals with Disabilities Education Act (1975). These policies established procedural safeguards, individualized educational planning, and protections against discrimination. However, CRT scholars argue that disability policies operate within racially stratified educational systems, resulting in disproportionate identification of students of color for certain disability categories and placement in restrictive educational settings. This pattern reflects the CRT concept that race-neutral policies may produce racially stratified outcomes when implemented within inequitable social systems. CARE emphasizes the importance of culturally responsive assessment practices, equitable special education decision-making, and institutional accountability for disproportionality.

Disciplinary policies represent another domain where race-neutral frameworks have produced inequitable outcomes. Zero-tolerance discipline policies normalized punitive responses

to student behavior and contributed to widespread disparities in suspensions and expulsions. CRT scholars interpret these policies as mechanisms of racialized social control, disproportionately affecting African American students and students with disabilities. Research links exclusionary discipline to lower academic achievement, higher dropout rates, and increased involvement with the juvenile justice system, outcomes commonly associated with the school-to-prison pipeline. CARE emphasizes alternative approaches grounded in restorative practices, culturally responsive behavior support, and equity-centered decision-making to reduce disciplinary disparities and create supportive learning environments.

The accountability movement sought to improve academic outcomes through standardized testing and performance measurement. A key example is No Child Left Behind Act (2001), which introduced high-stakes accountability measures intended to close achievement gaps. Although framed as an equity-driven reform, CRT scholars argue that NCLB (2001) punitive structure created incentives for schools to remove students perceived as academically or behaviorally “risky,” disproportionately affecting students of color and students with disabilities. Empirical research has shown limited national reductions in achievement gaps under NCLB, (2001), while disciplinary disparities remained strongly associated with academic inequality. CARE suggests that accountability systems must move beyond standardized metrics toward institutional practices that support inclusive instruction and equitable access to rigorous academic opportunities, such as, Advance Placement and International Baccalaureate programs.

More recent reforms have attempted to address the limitations of earlier accountability policies. The Every Student Succeeds Act, (ESSA, 2015) introduced greater flexibility for states while maintaining requirements for disaggregated data reporting and attention to historically underserved student populations. Similarly, *Endrew F. v. Douglas County School District RE-1*, (2017) strengthened expectations for educational progress under IDEA, (1997) by requiring individualized education programs that enable students with disabilities to make meaningful educational advancement. Through the lens of CRT these reforms acknowledge structural inequities but remain limited without robust implementation and institutional accountability. CARE highlights the importance of developing educator competencies in culturally responsive instruction, inclusive pedagogy, and data-informed equity interventions.

MAGA Movement

In recent years, federal executive actions have played a significant role in shaping educational equity efforts in the United States. Executive Order 13985, (2021) signed by President Joe Biden, positioned equity as a central federal responsibility and promoted a whole-of-government approach to identifying systemic barriers. The order defines equity as “the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment” (Sec. 2) and directs federal agencies to “recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity.” These directives framed federal policy as a mechanism for identifying and addressing structural inequities affecting historically marginalized populations. In contrast, Executive Order 14151, (2025) signed by President Donald Trump, directs federal agencies to dismantle diversity, equity, inclusion, and accessibility initiatives. The order characterizes prior DEI efforts as “illegal and immoral discrimination programs” and instructs agencies to “coordinate the termination of all discriminatory programs, including illegal DEI and ‘diversity, equity, inclusion, and accessibility’ (DEIA) mandates, policies, programs, preferences, and activities in the Federal Government” (Executive Order 14151, (2025)). These contrasting executive actions demonstrate how federal approaches to equity can shift substantially across administrations.

Analyzed through the lens of Critical Race Theory (CRT), these policy changes illustrate how racial equity initiatives are embedded within broader political and institutional power dynamics. CRT scholars argue that advances in racial equity often remain contingent upon political conditions and dominant interests, a concept associated with the theory of interest convergence articulated by Derrick Bell (1980). From this perspective, Executive Order 13985 reflects a policy context in which federal leadership acknowledged systemic inequities and sought to institutionalize mechanisms for identifying and addressing them. The subsequent reversal represented by Executive Order 14151 demonstrates how such initiatives may be reframed or dismantled when political priorities shift, reinforcing CRT’s argument that progress toward racial equity is frequently unstable and contested. A complementary perspective emerges from Competency-based Antiracist Education (CARE), which emphasizes the development of educator competencies necessary to recognize and address systemic inequities within educational institutions. Policies such as Executive Order 13985, which require agencies to assess and address structural barriers, align with CARE’s focus on institutional accountability, reflective practice, and

the cultivation of antiracist competencies among educators and leaders. Conversely, the directives contained in Executive Order 14151 may constrain institutional capacity to sustain structured professional learning, equity monitoring, and culturally responsive pedagogical development. From a CARE perspective, the removal of federal support for DEI-related initiatives may weaken the systemic conditions necessary for educators and institutions to develop and maintain antiracist competencies aimed at advancing equitable educational outcomes.

Discussion

Desegregation policy has played a central role in shaping educational access, opportunities, and outcomes for African American and other marginalized students in the United States public education system. The landmark decision in *Brown v. Board of Education*, (1954) declared racially segregated schools unconstitutional, dismantling a legal framework that had long denied African American students equitable access to educational resources. Subsequent federal legislation including the Civil Rights Act (1964) and the Elementary and Secondary Education Act (1965) along with judicial decisions such as *Green v. County School Board of New Kent County*, (1968) reinforced desegregation mandates and advanced efforts toward educational equity. Additional protections for students with disabilities, including Section 504 of the Rehabilitation Act (1973) and the Individuals with Disabilities Education Act, further expanded access and inclusion. Collectively, these developments established critical legal and structural foundations for more equitable participation in public education. Despite these advances, desegregation policy has encountered persistent and complex challenges. Efforts to facilitate integration, such as, magnet schools and busing often faced substantial local resistance, resulting in uneven implementation and continued segregation in many communities. African American students remain disproportionately represented in under-resourced schools and are over identified in special education programs, reflecting enduring systemic inequities and biases in identification and placement processes (Ayala & Nylund-Garcia, 2024). These challenges are particularly evident in ongoing desegregation litigation, such as *Moore v. Tangipahoa Parish School System*, (1969). The *Moore v. Tangipahoa Parish School System*, (1969) case illustrates the persistent difficulty of translating the legal mandates of *Brown v. Board of Education*, (1954) into meaningful educational equity. Despite decades of court oversight, structural inequities, community resistance, and institutional inertia continue to sustain racial and socioeconomic segregation. This underscores that legal desegregation alone does not guarantee equitable educational conditions. Federal

initiatives have attempted to address these disparities through accountability and legal protections. Policies such as the Americans with Disabilities Act (1990), No Child Left Behind Act (2001), and Every Student Succeeds Act (2015) introduced mechanisms to monitor achievement gaps and improve outcomes for historically marginalized students. However, the persistence of inequities, as demonstrated in cases like *Moore v. Tangipahoa Parish School Board*, (1969), indicate that accountability measures alone are insufficient to resolve deeply rooted structural disparities. More recent judicial decisions, including *Endrew F. v. Douglas County School District RE-1*, (2017), emphasize the need for meaningful and individualized educational progress, particularly for students with disabilities. *Endrew F. v. Douglas County School District RE-1*, (2017) reflects a broader shift in educational jurisprudence from formal compliance toward a focus on educational quality and equitable outcomes. These developments reveal both allies and persistent barriers within the U.S. education policy landscape. While desegregation policies and civil rights legislation have created essential pathways toward inclusion, structural inequities and inconsistent implementation continue to limit their transformative potential. The *Moore v. Tangipahoa Parish School Board*, (1969) litigation serves as a contemporary reminder that desegregation alone while historically significant cannot resolve systemic disparities in access and outcomes. This tension raises a critical question for educational policy and practice: To what extent has legal desegregation addressed systemic barriers to equity, and how might an equity-centered framework more effectively confront these enduring disparities? The following research questions were used to guide this study.

Research Question 1: How have educational laws and societal structures influenced equity in educational access and outcomes for African American and other marginalized students?

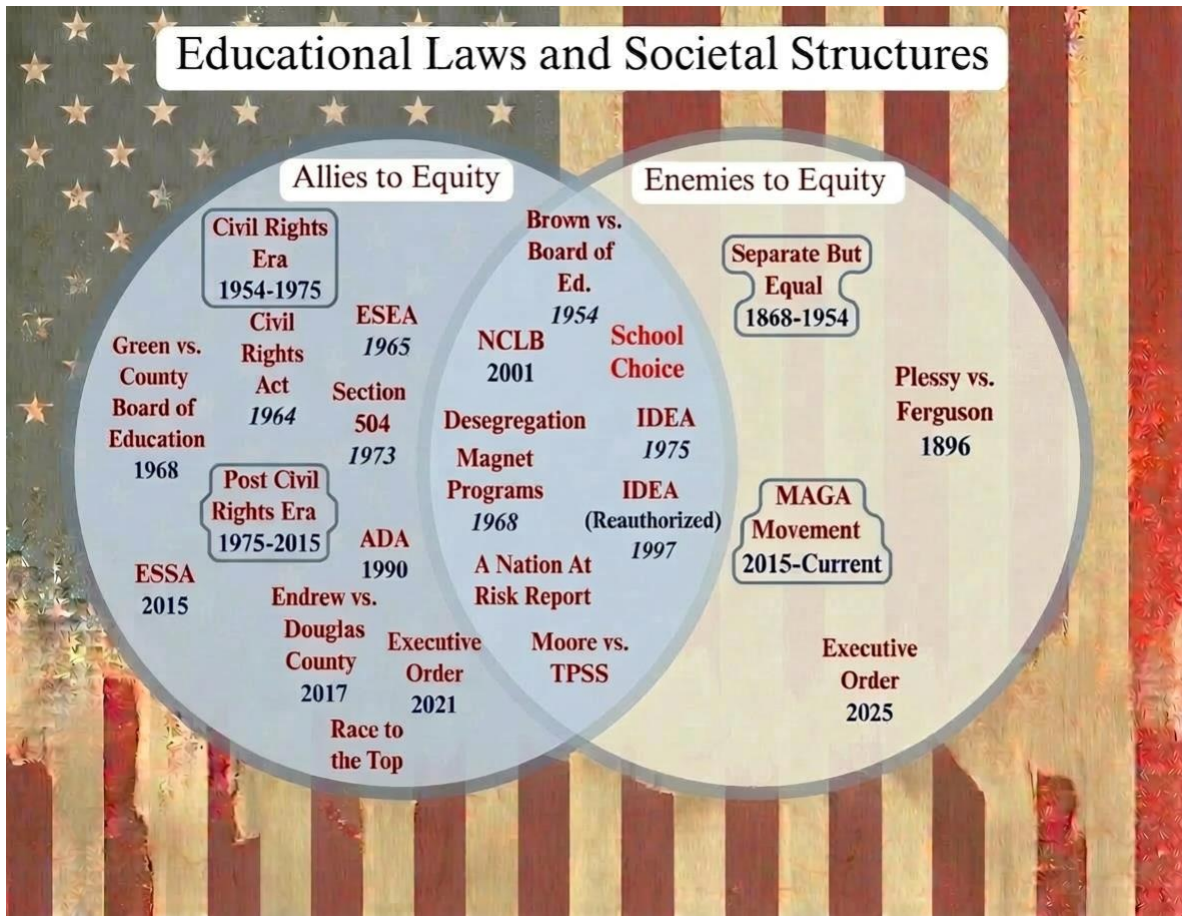
Educational laws such as *Brown v. Board of Education*, (1954) the Civil Rights Act of (1964), and the Elementary and Secondary Education Act (1965) established formal pathways for desegregation and expanded access to education for African American students. Judicial decisions, including *Green v. County School Board of New Kent County*, (1968) and *Endrew F. v. Douglas County School District RE-1*, (2017) reinforced the legal obligation to integrate schools and distribute resources more equitably. However, societal structures such as local resistance, residential segregation, and funding disparities have moderated the effectiveness of these laws. As a result, while formal access has improved, persistent inequities in educational outcomes remain, demonstrating that legal mandates alone cannot eliminate systemic barriers.

Research Question 2: What educational laws and societal structures have been allies or enemies to educational equity for African American and other marginalized students?

Societal structures have played a dual role in both advancing and hindering equity. Structures that advance equity include federal oversight during the Civil Rights and Post–Civil Rights eras, accountability-focused policies (e.g., No Child Left Behind, (2001) and Every Student Succeeds Act, (2015), and executive actions such as Executive Order No. 13,985 (2021) which expanded pathways to equity. In contrast, barriers include residential segregation, inequitable school funding, political and community resistance, and sociopolitical movements opposing equity initiatives (e.g., anti-CRT campaigns and the rollback of diversity, equity, and inclusion policies through Executive Order No. 14151 (2025)). Cases such as *Moore v. Tangipahoa Parish School Board*, (1969) illustrate how these structural forces perpetuate inequitable outcomes despite formal desegregation. See Figure 4. for an illustration of allies and enemies to equity and which laws have been both.

Figure 4

Allies and Enemies of Equity in Education



Research Question 3: How do equity-focused educational policies address persistent disparities that remain despite desegregation efforts?

Equity-focused policies move beyond legal integration to directly address disparities in access, resources, and outcomes. These approaches emphasize culturally responsive teaching, restorative discipline practices, differentiated instruction, and community-based supports. Federal initiatives, including Every Student Succeeds Act (2015) and Executive Order No. 13,985 (2021), provide accountability mechanisms and targeted interventions to support marginalized students. By explicitly addressing historical and systemic inequities, equity-focused policies aim to ensure that students not only attend integrated schools but also achieve academically, develop socially, and access postsecondary opportunities.

While desegregation removed formal legal barriers, it has not resolve disparities in resources, curriculum, discipline, or postsecondary pathways. An equity-centered framework shifts the focus from access to outcomes, prioritizing the success of marginalized students and

addressing the intersections of race, socioeconomic status, and disability. Such approaches hold institutions accountable not merely for compliance, but for measurable progress in student achievement and well-being. In this sense, desegregation opened the door, but equity ensures that students can thrive within educational systems. Addressing persistent inequities requires sustained and systemic commitment, including targeted investment in historically underserved schools, efforts to confront institutional bias, and the implementation of policies that prioritize equitable outcomes. Without such commitment, integration risks remaining symbolic, while deep-rooted disparities endure. Centering equity in both policy and practice is essential to advancing a more inclusive and just education system in the United States.

Limitations

While this study provides a thorough critical policy analysis it is not all inclusive of desegregation and federal education reforms, several limitations should be noted. The reliance on secondary sources and document analysis prioritizes historical breadth and policy coherence over primary empirical data; however, this approach enables a systematic examination of long-term structural patterns across multiple policy eras. The use of Critical Race Theory and Competency-Based Antiracist Education intentionally centers equity and racialized power dynamics, offering analytical clarity while acknowledging that alternative theoretical frameworks may yield different interpretations. Additionally, the focus on some federal policy necessarily abstracts from state and local implementation variability, allowing the study to foreground national policy intent and systemic trends rather than site-specific outcomes. Finally, while the study does not quantitatively measure student achievement or resource distribution, its qualitative synthesis advances an equity-centered framework that contributes conceptual and policy-relevant insights to ongoing debates about sustainable and just educational reform.

Implications for Future Practice

The findings propose critical implications for theory. Existing desegregation and equality-based frameworks explain how landmark laws such as IDEA, (1975, 1997), ADA, (1990), NCLB, (2001) and school choice create access to integrated schools but fail to discuss how race-neutral policies, such as Zero tolerance address the longstanding inequities reinforced by societal structures. By fusing Critical Race Theory with the Competency-Based Antiracist Education (CARE) model, this study promotes a theoretical framework that extends beyond the limited

confines of desegregation in which equity becomes the central construct for analysis of how law, policy, and institutional competencies interact to form racialized educational outcomes.

This analysis reveals the need for educational leadership preparation to move beyond compliance-oriented desegregation efforts and embrace a sustained, equity-centered approach that directly confronts persistent structural barriers in public education. This requires using data to identify and address disparities in access, discipline, placement, and achievement; ensuring full implementation of civil rights protections such as IDEA,(1975, 1997), Section 504, (1973), and ESSA, (2015); and providing culturally responsive, bias-reducing professional learning for educators. Leaders must be trained to also protect inclusive, accurate curriculum amid political pressures, support teachers in navigating restrictive state policies, and cultivate school environments where all students' identities and histories are represented. Since equity work remains vulnerable to political shifts, leaders should be trained to build strong community partnerships, advocate for consistent policy support, and center the voices of marginalized students and families in decision-making. Essentially, prioritizing equity requires developing an equity mindset, moral courage, a clear vision rooted in justice and democracy, and a commitment to creating learning environments where every child has meaningful access to opportunity.

Findings from this analysis indicate that desegregation alone has been ineffective in eliminating structural inequities. Furthermore, it suggests that race-neutral accountability, although it has succeeded in providing access, true inclusion and equity for marginalized communities, requires further policy reform. Policy reform requires strategic, equity-based resource allocation and the expansion of high-quality programs paired with transparent accountability systems to help ensure historically underserved communities receive what they need to thrive. Education policy should prioritize a process where stakeholders from underserved communities have the opportunities to provide meaningful input into how policy is developed. Additionally, policymakers should embrace a model for policy reform with embedded antiracist competencies.

Future research should focus on developing a robust theoretical framework that engages educational stakeholders in implementing leadership practices grounded in antiracist competencies and equity-centered decision-making. Building on the “Now What?” question that activates the Change component of the CARE model, future studies should investigate how leaders, educators, families, and communities collaboratively enact equity-driven reforms in real school and district

contexts. Researchers should examine how stakeholders cultivate and sustain an “equity mindset” as they make and implement decisions in core domains that shape the educational experiences of students in underserved communities, including teaching and learning, shared values, governance and decision-making, resource allocation, personnel practices, and school culture. In addition, topics such as creating equitable policies and women in leadership will further the cause of a more equitable system of education. Such studies might employ mixed-methods or participatory designs to identify concrete strategies, conditions, and competencies that enable educational stakeholders to implement these changes equitably and to assess the extent to which an equity-centered approach moves systems beyond desegregation toward sustainable justice in education.

Conclusion

This study analyzed the extent to which the legal desegregation of public schools has addressed systemic barriers to educational equity for African American and other marginalized student populations. Grounded in Critical Race Theory and Competency-Based Antiracist Education, the analysis demonstrates that while *Brown v. Board of Education*, (1954) marked a historic dismantling of de jure segregation, desegregation alone has been insufficient to eliminate enduring disparities in educational access, quality, and outcomes. Subsequent federal policies including IDEA (1975, 1997), NCLB, (2001), ESSA, (2015) and Executive Order 13985, (2021) expanded legal protections and accountability mechanisms, yet they have not fully disrupted the racialized and structural inequities embedded within the U.S. education system. The findings reveal that access without equity remains inadequate. Race-neutral accountability measures and compliance-oriented desegregation efforts have often prioritized formal inclusion over substantive opportunity, allowing inequities in resource allocation, disciplinary practices, special education placement, and curricular access to persist. Political resistance, uneven enforcement of civil rights protections, and shifting federal priorities further constrain the sustainability of equity-focused reforms, collectively illustrating the limitations of desegregation as a guiding framework for educational justice. In response, this study affirms the need to move beyond desegregation toward an explicitly equity-centered approach that address historical and systemic inequities. Educational leaders play a critical role in advancing this shift by using data to identify and address disparities, ensuring robust implementation of civil rights protections, reducing bias in disciplinary and special education identification practices, and safeguarding inclusive, culturally responsive curricula in increasingly politicized contexts. Equity-centered leadership also requires allocating resources

based on student need, expanding high-quality learning opportunities, and elevating the voices of marginalized students and families in decision-making processes. Future research should build on these findings by examining how an equity mindset can be intentionally developed and sustained among educational leaders, policymakers, and key stakeholders. Such research should explore leadership preparation programs, professional learning models, policy creation processes, and accountability structures that cultivate equity-oriented decision-making, moral courage, and systemic responsibility. Understanding how equity mindsets are formed, enacted, and protected across shifting political contexts is essential to ensuring that equity-centered reforms move beyond rhetoric and result in durable, transformative change. Ultimately, desegregation opened the door to public education, but equity determines whether students are able to thrive once inside. Achieving lasting educational justice requires a sustained commitment to confronting structural inequities and reimagining policy and practice as tools for inclusion, accountability, and collective responsibility. By centering equity as both a moral and structural imperative, public education can move closer to fulfilling its promise of equal protection and meaningful opportunity for all students.

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