

SENATE RESOLUTION No. 1860

A RESOLUTION celebrating the 50th anniversary of the United States Supreme Court's decision
in *Brown v. Board of Education*.

WHEREAS, The petition in the case of *Brown v. Board of Education* was filed February 28, 1951; and

WHEREAS, On May 17, 1954, in an unanimous order the United States Supreme Court issued its decision overturning the earlier doctrine of "separate but equal" schools in *Plessy v. Ferguson* and declared that "in the field of public education 'Separate but Equal' has no place. Separate educational facilities are inherently unequal." On May 17, 2004, the 50th anniversary of this decision, the National Park Service will have its grand opening of the new *Brown v. Board of Education* National Historic Site located in the former Monroe School in Topeka; and

WHEREAS, It is indeed ironic that 100 years before this historic decision the Kansas Territory, which became known as Bleeding Kansas because of the struggle which ultimately saw Kansas enter the union as a free state, would be the forum for the integration of African-Americans in our public schools; and

WHEREAS, The *Brown* case was organized and filed by McKinley L. Burnett, President of the local chapter of the National Association for the Advancement of Colored People (NAACP) who recruited African-American parents in Topeka to challenge segregation by sending their children to enroll in white schools. At that time Topeka had four segregated schools as permitted by state law for cities of more than 15,000 inhabitants. The following 13 parents, who had a total of 20 children, became involved in the project and became the original plaintiffs in the case: Oliver Brown, Lena Mae Carper, Margurite Emerson, Zelma Henderson, Maude Lawton, Lucinda Todd, Sadie Emmanuel, Shirley Fleming, Shirley Hodison, Alma Lewish, Vivian Scales, Darlene Brown and Iona Richardson. Oliver Brown, member of the St. Mark A.M.E. Church in Topeka, and the only male plaintiff was listed first in the case. The Kansas case was consolidated with four other cases from Delaware, South Carolina, Virginia and the District of Columbia; and

WHEREAS, Attorneys of note involved in the litigation were Charles Scott, Legal Counsel for the Topeka NAACP, Charles Houston, former Dean of the Howard University School of Law and counsel for the NAACP, and Thurgood Marshall, who was hired by Dean Houston to represent the NAACP and who argued the case before the Supreme Court; and

WHEREAS, The Monroe School was saved from demolition, was purchased by the federal government and in December 1993 was transferred to the National Park Service to be the new *Brown v. Board of Education* National Historic Site and the first unit of the National Park Service to be named after a court case; and

WHEREAS, The Kansas Committee to Commemorate *Brown v. Board of Education* has been a force since 1976 in creating an awareness and supporting education about the landmark decision, assisting with the movement to make Monroe School a National Historic Site, dedicating Sumner Elementary School as a National Historic Landmark, naming and dedication of the Scott magnet school, naming of the Thurgood Marshall Bridge and leading the efforts renaming the Topeka Public Schools Administrative Center in honor of McKinley L. Burnett: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we join with the nation in celebrating the 50th anniversary of the United States Supreme Court's decision in *Brown v. Board of Education*; and

Be it further resolved: That the Secretary of the Senate provide an enrolled copy of this resolution to the Executive Director, State Historical Society, 6425 S.W. 6th Avenue, Topeka, KS 66615; C.E. "Sonny" Scroggins, Kansas Committee to Commemorate *Brown v. Board of Education*, 901 S.W. Tyler, Suite 111, Topeka, KS 66612; Monroe School National Historic Site; each of the 13 families of the original plaintiffs; and one copy to the family of McKinley L. Burnett.

Senate Resolution No. 1860 was sponsored by Senators Hensley, Adkins, Allen, Barnett, Barone, Betts, Buhler, Bunten, Clark, Corbin, Downey, Emler, Gilstrap, Goodwin, Haley, Helgerson, Jackson, Jordan, Kerr, Lee, Oleen, Schmidt, Schodorf, Steineger, Taddiken, Umbarger, Vratil and Wagle.

I hereby certify that the above RESOLUTION originated in the SENATE, and was adopted by that body

President of the Senate.

Secretary of the Senate.