

STATE OF BLACK EDUCATION 2024

CALIFORNIA REPORT CARD

70 YEARS AFTER *BROWN V. BOARD*

Black students in California still experience unequal treatment, opportunities, and outcomes 70 years after the *Brown v. Board* case ruled separate education for Black students was inherently unequal. **Historical injustices** have resulted in **current inequalities** within many areas of education, limiting access to opportunities for students. This report contextualizes educational equity, justice, healing, and repair for Black students in California using history, laws, court cases, data, along with perspectives from students, parents and educators. Data from federal, state, and district sources are examined across **24 areas of documented inequality** related to Black students in California to highlight the array of pervasive injustices. These inequalities collectively demonstrate the impact of the oppression and neglect of Black students throughout American history. **Opportunities and gaps in law** are also examined along with **transformative solutions** and programs supporting California's Black students. This Report Card is a preview of a full report to be released in fall 2024.

Longitudinal analysis of 40 years of California Department of Education data reveals **two extremely problematic trends** with Black students requiring immediate attention: 1) **School closures** are most common in schools with Black students 2) and a **"Black Exodus"** exists with a **47% decrease** in California's Black student enrollment from 2003 to 2023 (from 510,000 to 273,148). These two issues are connected to each other and the 22 other inequality areas documented in this report. Recommendations are provided at the state, district, and school level to support Black students.

TIMELINE OF BLACK EDUCATION IN CA & NATION

Teaching enslaved Africans to read or write is **banned/ punishable with prison and fines.**

Fugitive Slave Law passed in CA that bans **Black children from attending public schools.**



WYSINGER V. CROOKSHANK: Black children cannot be excluded from school for white children. However, the state can re-impose segregated schools.

BROWN V. BOARD
Separate education for Black students is inherently unequal.

LARRY P. CASE: Statewide tests in CA being used with the intention to segregate Black students in Special Ed.

AFFIRMATIVE ACTION ENDS
The University of California ends Affirmative Action in with a board vote. **Prop 209** expand this to all government institutions in **1996.**

WILLIAMS V. STATE OF CA
Settlement of case arguing the state failed to provide basic necessities required for educating students of color.

MARK S. V. STATE OF CA
Case challenging state and district's separate, unequal, and illegal educational system for Black students, English learners, and students with disabilities.

1739 1852 1860 1872 1890 1947 1954 1963 1976 1989+ 1995 1999 2004 2020+ 2021 2023

CA law explicitly bans "Negroes, Mongolians, and Indians" from public schools.

MENDEZ V. WESTMINSTER: Landmark case by Mexican families suing for the right to attend white schools in CA. Focused on ancestry and language instead of race since Mexicans were legally white.



ED LEADERSHIP & ORGANIZING
Black leadership and grassroots organizing for education evolves with Fortune Schools and the Black Parallel School Board.

BLACK STUDENT PROGRAMS
School district programs to support Black students emerge in response to community demands.

WARD v. FLOOD: The education of children of African descent and Indian children shall be provided for in separate schools.

CRAWFORD V. LA BOARD OF ED
School desegregation lawsuit filed on behalf of Black students in LA.



DANIEL V. STATE OF CA
State and district sued for failing to provide AP courses to Black and Brown students.

BLACK EXODUS
Over **47% decrease** in number of Black students in CA schools since 2003.

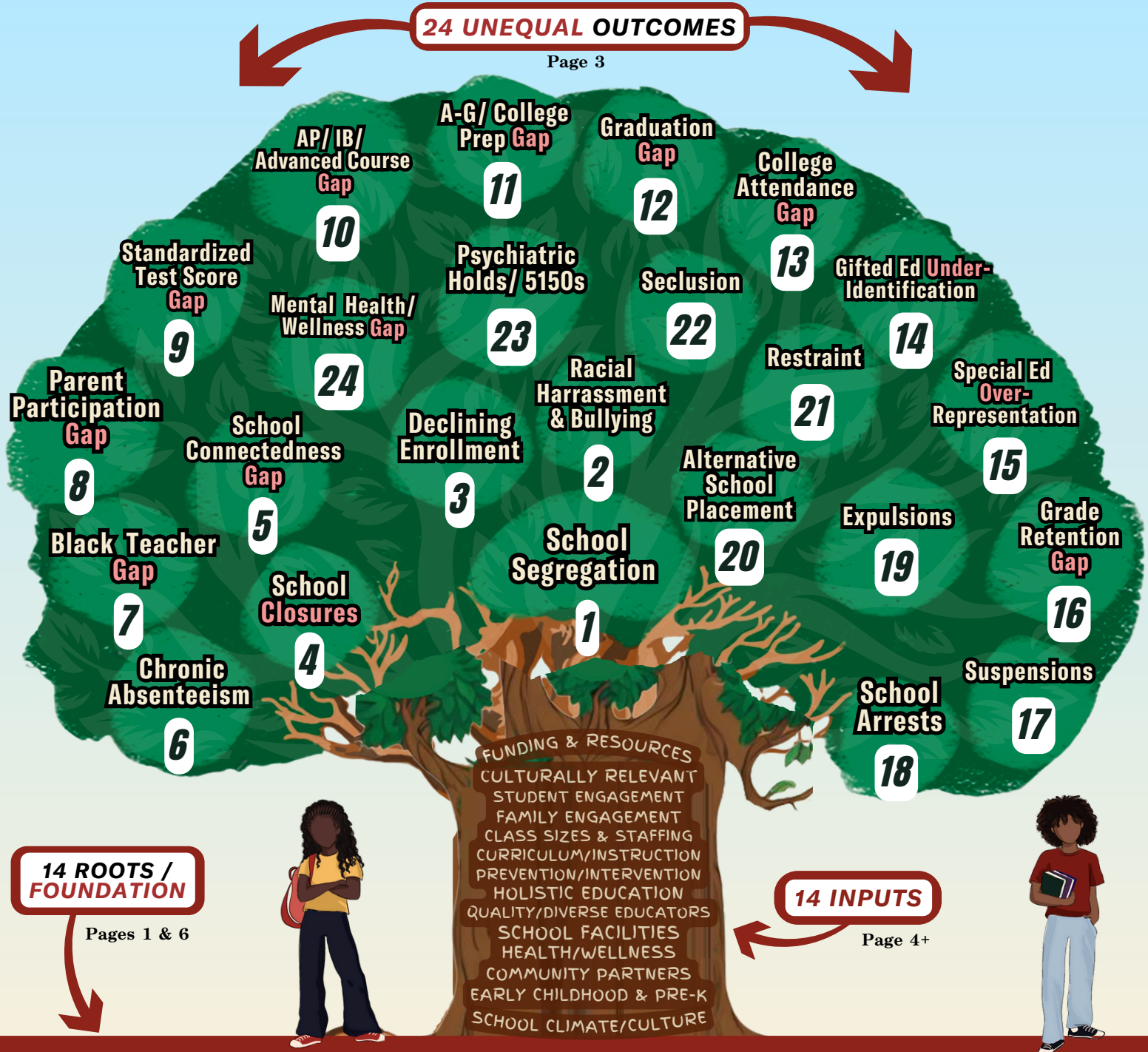
TREE OF BLACK EDUCATION CALIFORNIA

THREE AREAS IMPACTING BLACK STUDENTS

BRANCHES/LEAVES : 24 unequal outcomes related to Black students documented with data/research (page 3).

TRUNK : 14 evidence-based areas receiving inadequate attention because of the foundation/roots (page 4+).

ROOTS : 14 areas/systems influencing the foundation of Black education (pages 1 & 6).



- 1) LEGACY OF SLAVERY
- 2) COLONIZATION
- 3) WHITE SUPREMACY
- 4) ANTI-BLACKNESS
- 5) STRUCTURAL RACISM
- 6) SECOND-CLASS CITIZENSHIP
- 7) SEPARATE & UNEQUAL SYSTEM
- 8) SEGREGATED SCHOOLS
- 9) DISCRIMINATION
- 10) BIAS
- 11) ABLEISM
- 12) UNDERFUNDED SCHOOLS
- 12) ECONOMIC INEQUALITIES
- 14) SCHOOL-TO-PRISON PIPELINE

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24 UNEQUAL OUTCOMES

WITH BLACK STUDENTS IN CALIFORNIA

70-YEARS AFTER

BROWN V. BOARD

SCHOOL CLIMATE

- 1 SCHOOL SEGREGATION:** California is the **third most segregated state** for Black students.
- 2 RACIAL HARASSMENT & BULLYING :** Black students in CA are most likely to be bullied multiple times.
- 3 DECLINING ENROLLMENT:** Enrollment for Black students in CA **decreased by 47%** from 2003 to 2023.
- 4 SCHOOL CLOSURES:** Schools with larger shares of Black students in CA are the most likely to experience school closures (2023).
- 5 SCHOOL CONNECTEDNESS:** Only **46%** of Black CA 11th graders felt connected to their school/staff, compared to **59%** of white 11th graders (2019).
- 6 CHRONIC ABSENTEEISM:** Roughly **37%** of Black students in CA were Chronically Absent (absent 10 % or more of instructional days) in the 2022-23 school year compared to **20%** of White students.
- 7 BLACK TEACHER GAP:** Only **3.8%** % of CA teachers are Black although Black students represent **5.2 %** of CA enrollment (2021).
- 8 PARENT PARTICIPATION:** Only **51%** of Black parents feel welcomed to participate at school compared to **67%** of all parents (2022).

STUDENT OUTCOMES & ACADEMICS

- 9 STANDARDIZED TEST SCORE GAP:** Only **17%** of Black students met or exceeded the CA assessment standards for Math compared to **49%** of white students in 2022-23. With English, only **30%** of Black students met CA assessment standards compared to **61%** for white students.
- 10 AP/ IB/ ADVANCED COURSE GAP :** Only **3%** of CA's AP and IB students are Black although they are **5%** of the student population.
- 11 A-G/COLLEGE PREP GAP:** Only **33%** of Black CA students met the A-G coursework for UC/CSU college admission with a grade of C or better compared to **52%** of white students in the 2022-23 school year.
- 12 GRADUATION RATE GAP:** Roughly **78%** of Black CA students graduated high school compared to **90%** of white students (2023).
- 13 COLLEGE ATTENDANCE GAP:** Roughly **55%** of Black high school students went on to college and **8%** went out-of-state. Comparatively, **68%** of white students went to college and **14%** went out-of-state (2021).
- 14 GIFTED EDUCATION UNDER-IDENTIFICATION:** Black students were only **3%** of CA students identified as "gifted and talented" although they were **5%** of student enrollment (2021).
- 15 SPECIAL EDUCATION OVER-REPRESENTATION:** Black students were **10%** of students diagnosed with Emotional Disturbance despite being just **5%** of students in 2023.
- 16 GRADE RETENTION:** Black students are **5%** of CA students but **12%** of students retained/held back in the 4th grade.

SCHOOL-2-PRISON PIPELINE & MENTAL HEALTH

- 17 SUSPENSIONS:** Black students were **5%** of CA students but **15%** of suspensions in the 2022-2023 school year.
- 18 SCHOOL ARRESTS & STOPS:** Over **20%** of Black students are handcuffed during police stops compared to **9%** of white students (2024).
- 19 EXPULSIONS:** Black boys were **3%** of CA students but **11%** of expulsions statewide in the 2022-23 school year.
- 20 ALTERNATIVE SCHOOL PLACEMENT:** Black students are placed in alternative schools at **twice the rate** of their state enrollment.
- 21 RESTRAINT:** Black students were **5%** of CA enrollment but **39%** of mechanical restraints and **16%** of physical restraints, (2022-23).
- 22 SECLUSION:** Black students were **5%** of CA enrollment but **14%** of students placed in/punished with Seclusion (2022-23).
- 23 PSYCHIATRIC HOLDS/5150s:** Although CA does not report involuntary hold/5150 data by race, Black students are **17%** of involuntary holds in Stockton Unified (age 15 and younger) despite being just **9%** of students.
- 24 MENTAL HEALTH/WELLNESS:** The suicide rate among Black youth has **doubled since 2014** and is now twice the statewide average.

References/citations for all 24 areas on page 7.



TRANSFORMATIVE SOLUTIONS & PRACTICES

COMMUNITY VOICES & CASE STUDIES



1 “To truly support Black students and families in Stockton, we must prioritize investing in Black student achievement. Instead of reverting to the era of Brown vs. Board, we must commit to investing in district-wide credible messengers, Restorative Justice interrupters, and reimagine, reinvest, and repair systems. This demands a prioritization of Black leadership and educators and a commitment to address anti-Black policies. Mandating Black history and ethnic studies is essential for creating a more inclusive and equitable educational environment. We need to ensure a commitment to oversight to guarantee that investments are effectively repairing and addressing systemic inequities.” - **Karesha Boyd Parent /Community Advocate and Parent in Stockton Unified**

2 “The Sacramento City Unified School District mission statement claims of addressing systemic inequities, yet the reality for Black students makes it clear, they are being failed. Words are insufficient without action. Echoing Dr. King’s warning against the allure of easy answers, it’s clear that Black families are still waiting on the transformative change we were promised. We want commitments backed by funding and explicit actionable steps. Our Black scholars and their families deserve an urgent, transparent sustainable plan that’s as deep in action as it is in words.” - **Raynn McCullough, Assistant Director of Operations, Black Parallel School Board**

3 “There was always frustration in the Black community that African-American students weren’t included as a high needs group in the Local Control Funding Formula. It’s quite normalized in our state for English Learners (to receive targeted supports). There should also be policy like that for African-American students because they’re actually doing worse in our schools. I think that post-George Floyd most people are ready for that in the policy setting with the exception of Governor Newsom.” - **Margaret Fortune, Educator, Fortune Schools, Black in Schools Coalition**

4 “The education system (Pittsburg Unified/ PUSD) mirrors a genocide within a country that professes to cherish and safeguard all its citizens. The education system excludes and criminalizes Black students and families. Through suspensions, arrests, expulsions, and discrimination, the system continues to push out and lock out Black students from an adequate opportunity to gain an education. Black parents who advocate for their children are also criminalized for questioning unfair practices and discrimination of their children. It’s almost impossible to file a complaint and hold the school districts accountable for treating Black children as something other than the beautiful, intelligent creative beings that they are. In my experience, PUSD continues to perpetuate negativity, isolation, and criminalization, the dehumanization of Black students is in the data and within people’s real lived experiences.” - **Jessica Black, Pittsburg Unified Parent, Black Organizing Project**

5 “After years of advocating for equity, the hardest pill for me to swallow as a Black parent was that equity did not include Black students, my children in Oakland Unified. The harm we experienced as a family was always ignored. It was more important to the Board, Superintendent and administrators to amplify programs with limited impact as the equity-focused strategy of the district while continuing to harm more Black students than those programs served. **This district wants to close every majority Black school, push out Black teachers and principals, hide the actual use of funds sent to OUSD for Black student achievement and shut down any efforts to shine a light on this dismal picture.** And they get away every time with doing what they want. Oakland Black students, parents like me and educators are tired of this happening over and over again with no consequences from anyone. It makes you wonder: Who is going to stand with us and investigate the decades of harms this district gets away with doing?” - **Pecolia Manigo, Oakland Parent and Organizer, Oakland Rising**

6 “I am fortunate to benefit from the many services of BSAP (Black Student Achievement Program). Among those services were support to complete college applications, FAFSA, homework as well as social/emotional support. The BSAP program at Venice is available and supports one of the largest Black student populations in the L.A Unified School District. - **Lindsey Weatherspoon, Youth Liberty Squad, 12th Grade LA Unified**

7 “Brown vs Board of Education was promoted as a pathway to educational equality, but 70 years later, Inglewood Unified School District crystalizes how little things have actually changed. White supremacy still rules the day as a single white man with absolute power controls a district with 99% students of color. Subtle sabotage of a historically Black-led district has enabled Billionaire Bullies and their political puppets to procure district property for gentrification-focused projects creating school deserts. Schools were purposely depopulated because of deferred improvements promised but never realized. Both under state and county leadership the district has declined.” - **John Hughes, Inglewood Educator**

8 “Having BSAP staff on campus who understand the barriers I face as a Black student has made all the difference in helping me feel safe and supported. But school police stationed on our campuses criminalize us and make us feel unsafe. They pepper spray and assault students...[A]ddress all students’ needs by valuing their input on what makes them feel safe and by defunding the police.” - **Lakell White, Students Deserve LA, 12th Grade LA Unified**

9 “Any school system serious about closing the achievement gaps with Black students must begin by closing the opportunity gaps that exist at the root cause. Access to trained school counselors implementing a comprehensive school counseling program is ground zero in this effort. It’s great to adopt policies, but if the policies are not backed by a change in practice, there will be no significant change.” - **Kennedy Dixon, Long Beach School Counselor**

CA PROGRAMS SUPPORTING BLACK STUDENT SUCCESS

- **Oakland Unified**- African American Male Achievement
 - Black Students and Families Thriving Task Force
- **LA Unified**- Black Student Achievement Plan / BSAP
- **Berkeley Unified**- African American Success Framework
- **Pasadena Unified**- Black Student & Family Task Force
- **Long Beach**- Black Student Achievement Initiative

LEGAL OBLIGATIONS & OPPORTUNITIES

- “Education is a **fundamental right**, perhaps the most vital of all fundamental rights, under the California Constitution, to be obstructed only upon a showing that there is a compelling interest for doing so.” **Cal. Const. art. IX, § 5; Butt v. State (1992).**
- Both the U.S. Constitution and the California Constitution guarantee students equal protection under the law regardless of race, ethnicity, national origin, disability, and other protected categories. **U.S. Const. amend. XIV, § 1; Cal. Const. art. I, § 4**
 - Thus, regardless of race or ethnicity, students in CA must be given basic educational opportunities equal to other students. **Article 1, Section 7(a) and Article IV, Section 16(a) of the California Constitution.**
 - Students have the constitutional right to attend integrated schools where students of different racial identities, national origins, and disability statuses can interact and learn together.
- School districts have an affirmative obligation (under federal and state civil rights statutes and the California Constitution) to combat racial bias against students within their schools. **42 U.S.C. § 2000c et seq.; 42 U.S.C. § 2000d et seq.; 20 U.S.C. § 1681 et seq.; 42 U.S.C. § 12132 et seq.; 20 U.S.C. § 1400 et seq.; 29 U.S.C. § 794; Cal. Educ. Code §§ 200, 201, 220, 234.1;**
- Evidence of intentional discrimination is not required; a constitutional claim of racial discrimination is created even when the discriminatory effect of a policy is not “purposeful conduct.” **Cal. Educ. Code § 220, 262.3, & 262.4 Cal. Gov’t Code § 11135**
- “The existence of a racially hostile environment that is created, encouraged, accepted, tolerated, or left uncorrected by a school can constitute discrimination on the basis of race in violation of **Title VI of the Civil Rights Act of 1964.**” **U.S. Department of Educ. Office for Civil Rights, “Race and School Programming” 4 (August 2023).**
 - This triggers a legal duty for the school to take prompt and effective steps that are reasonably calculated to: (1) end the harassment, (2) eliminate any hostile environment and its effects, and (3) prevent the harassment from recurring.
- A school generally may offer or recognize programs focused on the experience of particular racial groups (Examples: mentorship programs, fellowships, leadership trainings, Black Student Success Programs, and similar opportunities). **US DOE 2023 Letter.**
- Schools have the right and obligation to develop curricula or engage in activities that promote racially inclusive school communities. The U.S. Supreme Court has recognized that “the right to receive ideas is a necessary predicate to the recipient’s meaningful exercise of [their] own rights of speech, press, and political freedom.” **Board of Ed, Island Trees Union Free School District No. 26 v. Pico, 457 U.S. 853 (1982).** Moreover, under the California Education Code, school districts must adopt classroom curricula that “accurately portray the cultural and racial diversity of our society,” including specifically the role and contributions of Black/African American people, “to the total development of California and the United States.” **Cal. Educ. Code § 60040(a)-(b).**
- **California Government Code section 11135** prohibits discrimination “under any program or activity that . . . receives any financial assistance from the state.”
- Students have the right to equal access to a public education system that meets statewide standards. **Butt, 4 Cal.4th 686-87.**

For more Know Your Rights information related to California schools, please visit www.myschoolmyrights.com



RECOMMENDATIONS

STATE LEVEL

- Improve state oversight, accountability, guidance, and support for the 24 areas of inequalities and other injustices impacting Black students.
- Collect and report statewide data (disaggregated) across more factors listed in the tree infographic. California does not collect or report statewide data across seven of the factors. This is critical for 5150s/involuntary holds, student retention, and other areas.
- Invest in educational healing and repair by providing additional funding to support Black students, as recommended by the California Department of Justice and statewide [Reparations Task Force](#). Oakland Unified passed a [reparations resolution](#) in 2021 and Berkeley Unified also has a [task force](#).
- Revisit and overturn Proposition 209 to allow for more support for historically marginalized students in California. In the meantime, continue to explore and support solutions like [AB 2774](#) to support Black students in ways that do not violate Prop 209.
- Establish a state Office of Black Student Success and produce an annual report on Black students focused on disparities, opportunities, and more.

SCHOOL DISTRICT LEVEL

- Fund and support Black student success programs explicitly through the LCAP and budget process. Berkley Unified has done this since 2013.
 - Create programs, initiatives, and curriculum that promote belonging and connectedness for Black students.
 - Ensure proper implementation, oversight, and support of the programs. Ensure funding is invested as intended before holistic evaluations.
- Facilitate solution-based activities that explicitly address and educate staff, students, and parents about anti-Blackness in education.
- Ensure that school climates are responsive to Black students and families. Engage in outreach to understand and address declining enrollment.
- Investigate and address the root causes of the 24 unequal outcomes for Black students highlighted in this Report Card.
- Conduct equity and impact assessments when closing schools and avoid concentrating closures in predominantly Black communities.
- Divest from punitive discipline and the criminalization of Black students through school police. Reinvest into Black students as LAUSD did in 2020.

DEFINITIONS

Here are definitions of the roots/foundational factors that influence Black education. Examples can be found on the timeline on the first page.

1. **LEGACY OF SLAVERY**- The continued impact of millions of Black people being enslaved for centuries in America from 1619-1865 with no access to literacy or education.
2. **COLONIZATION**- A system of wealth extraction, exploitation, and domination over territories/nations using military, political, and economic means.
3. **WHITE SUPREMACY**- The notion that white people are superior to others and are therefore entitled to more resources, rights, and freedoms.
4. **ANTI-BLACKNESS**- Attitudes, beliefs, or actions that involve prejudice, discrimination, or hostility towards individuals who are of African descent or have dark skin. It encompasses various forms of racism, bias, and systemic oppression.
5. **STRUCTURAL RACISM**- The presence of laws, policies, and practices that result in cumulative and enduring racial inequalities. Racist policies and perpetuated through institutions and government. Common areas include housing, segregation, criminal legal system, judicial treatment, voting rights, employment, education, and more.
6. **SECOND-CLASS CITIZENSHIP**- The legal or informal status of being considered inferior or second-rate in terms of citizenship rights, protections, and opportunities.
7. **SEPARATE & UNEQUAL SYSTEM**- The systems (employment, housing, etc.) that create the segregated schools below.
8. **SEGREGATED SCHOOLS**- Separation of different student groups resulting in the unequal allocation of resources, opportunities, and social spaces.
9. **DISCRIMINATION**- The unjust or racist treatment of individuals or groups based on race, gender, age, religion, or disability, etc.
10. **BIAS** - The set of automatic preferences that exists in humans. Mental shortcuts created by the mind to process information faster.
11. **ABLEISM**- Beliefs or practices that devalue and discriminate against people with physical, intellectual, or psychiatric disabilities.
12. **ECONOMIC INEQUALITIES**- Disparities in wealth, income, and access to resources.
13. **UNDERFUNDED SCHOOLS**- Educational institutions that lack the financial resources to provide quality education and support services to students.
14. **SCHOOL-TO-PRISON PIPELINE**- A system whereby students are pushed out of schools and into the criminal justice/legal system through policies and practices such as zero-tolerance discipline, harsh penalties for minor infractions, and increased police presence.

REFERENCES & CITATIONS

RELATED TO 24 UNEQUAL OUTCOMES ON PAGE #3

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**FULL REPORT
COMING THIS FALL!**

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