

0. SCHOOL BUSING AN ISSUE AGAIN - Story Preface

1. LITTLE ROCK PROTESTS

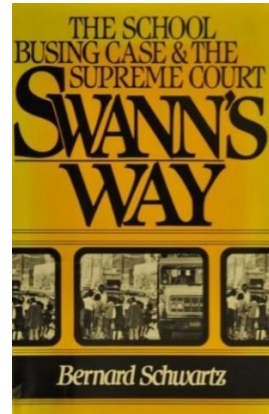
2. WITH ALL DELIBERATE SPEED

3. ANTI-BUSING PROTESTS

4. MAY 4TH - KENT STATE SHOOTINGS

5. SCHOOL BUSING UPHELD

6. SCHOOL BUSING AN ISSUE AGAIN



Swann's Way: The School Busing Case and the Supreme Court, by Bernard Schwartz, tells the story of the give-and-take, behind the scenes, as the case of *Swann v. Charlotte-Mecklenburg Board of Education* made its way through the American court system. Book cover online via Amazon.

As America tried to make her peace with the scars of segregation, schools implemented plans for racial diversity. *Swann v. Charlotte-Mecklenburg Board of Education* had long been a closed case when new events in North Carolina caused it to be reopened.

This time plaintiffs alleged that race-based integration plans discriminate against children who are not black. Three decades after the Supreme Court declared it would

eliminate from the public schools all vestiges of state-imposed segregation...

a new set of plaintiffs (this time white) asserted race-conscious admission policies are discriminatory. In other words, it was alleged that the *Swann* case has itself *become* unconstitutional.

William Capacchione filed a lawsuit against the Charlotte-Mecklenburg school system because his daughter was twice-denied admission to the family's school of choice. Plaintiffs, in effect, alleged that integration has been achieved and race-based programs are no longer needed because they now discriminate against white children.

The school system defended by asserting it is NOT fully integrated and should not be released from court-ordered desegregation. In an interesting twist, the attorneys who filed the original *Swann case* now agree with their former adversary.

Many similar cases are pending throughout the country. In some, courts have relieved schools from court-imposed segregation. To reach that conclusion, however, courts have to find that the school district has become "unitary." In other words, school boards must show they have complied in good faith with court orders and have eliminated traces of illegal segregation.

Believing that schools in Charlotte, North Carolina ARE fully integrated, Robert D. Potter, a federal judge, ruled in favor of the *Capacchione* plaintiffs and against the Board of Education and the *Swann* plaintiffs.

On its apparent path back to the United States Supreme Court, the matter passed through the 4th Circuit Court of Appeals. During arguments before that court, judges questioned lawyers representing the *Capacchione* plaintiffs. Ultimately, the 4th Circuit agreed with Judge Potter—and—the U.S. Supreme Court declined to hear the matter again.

In short, the *Swann* case was overturned.

The climate in America is much different now. The turbulent days of marches and demonstrations, for and against busing, are completely unknown by an entire generation. Even people who lived through gut-wrenching days of political unrest, student protest and seemingly endless war in Viet Nam have distant memories of turbulent times.

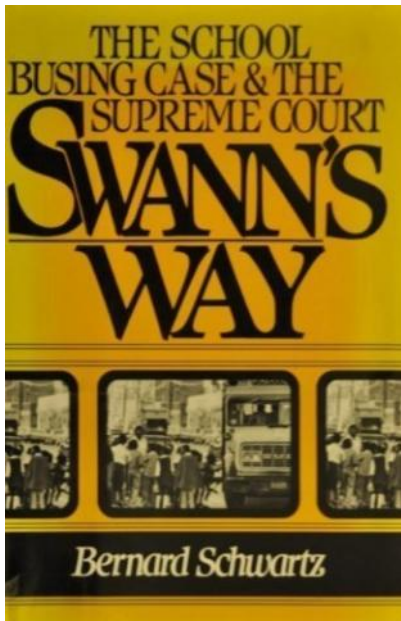
But ... where the issue of school busing in America ultimately goes, no one can say for sure.

See [Alignments to State and Common Core standards for this story online at:](http://www.awesomestories.com/asset/AcademicAlignment/SCHOOL-BUSING-AN-ISSUE-AGAIN-School-Busing)

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