



Summary of Swann v. Charlotte 1971

In 1969 in the Charlotte-Mecklenburg, North Carolina school system, it was found that there were approximately 24,000 African American students in the school system, 21,000 of whom attended schools within the city of Charlotte. Approximately 14,000 of the 21,000 African American students attended 21 schools which were either totally African American or more than 99% African American. In this suit, petitioner alleged that based on attendance facts, the schools were deliberately being operated to carry out segregation solely based on race, and requested further relief from the court based on a previous case, *Green v. County School Board*, which required school boards to implement immediate plans that were realistic in working to end segregation.

The District Court ordered the school board to submit a student and faculty desegregation plan. When the plan was found insufficient, the court appointed an expert who, along with the school board, presented desegregation plans in February 1970. The court approved the school board's junior and senior high school plan and faculty plan and the expert's elementary school plan. The decision was appealed, and the plans were affirmed by the Court of Appeals with the exception of the elementary school plan. The court found that a plan of grouping elementary school students would place an unreasonable burden on the students. The case was remanded to the District Court, which determined that the expert's plan would remain in effect.

Upon petition for certiorari to the United States Supreme Court, the case was reviewed to determine the duties of school authorities and the scope of powers of federal courts to end segregation in public schools as established by *Brown v. Board of Education*. The Court determined that state-imposed segregation by race in public schools denies equal protection of the laws, as provided for in the Fourteenth Amendment. Based on this principle, the Court affirmed the ruling of the Court of Appeals as to the aspects in which it affirmed the judgment of the District Court. The final order of the District Court was also affirmed.

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