

**TELLING A STORY OF STRUGGLE:
ADMINISTRATIVE HISTORY OF
BROWN v. BOARD OF EDUCATION
NATIONAL HISTORIC SITE
KANSAS**



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BROWN V. BOARD OF EDUCATION NATIONAL HISTORIC SITE
KANSAS
Administrative History

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Midwest Regional Office-DOI Region 3, 4, 5

2022

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Introduction

In recent years, the United States Supreme Court has loomed over American politics and society. Adherents of various causes expect the Court to issue decisions that will make the nation fit their ideals, and the results of presidential elections are frequently evaluated in terms of which Supreme Court justices might retire and be replaced during the new presidential term. This is a relatively new phenomenon; the Supreme Court existed largely in the background of American society for more than one and one-half centuries, only rarely rising above the surface of daily events to gain a measure of notoriety. Even in this age of near-constant attention paid to the Supreme Court, though, it is rare that a single decision rises to a level of truly historical significance that sparks a profound change in the life of the nation. One of the few such decisions was the one made unanimously in May 1954 in the case of *Brown v. Board of Education of Topeka, Kansas*. In a rare move, the Court under Chief Justice Earl Warren overturned existing Supreme Court precedent by ruling that segregation in public education, even with equal facilities, is antithetical to the due process clause of the Fifth Amendment to the Constitution, and to the equal protection clause of the Fourteenth Amendment, and cannot be maintained by any local, state, or federal government.

Segregation in public education, whether required or permitted, had been the norm for large parts of the nation from the beginning, particularly after the Civil War, when schools were established for formerly enslaved people. The decision in *Brown v. Board of Education*, therefore, was an explosion that sent shock waves throughout the nation, providing hope to the oppressed and dismay to their oppressors. Rather than establishing new rights under the Constitution, the *Brown* decision merely ensured that rights already protected in the Constitution would be secured for all, regardless of race. The case began as five separate, independent cases that rose through the court systems in the early 1950s in Delaware, Kansas, South Carolina, Virginia, and the District of Columbia, each challenging racial segregation in public education. Led by Thurgood Marshall, the National Association for the Advancement of Colored People (NAACP) argued the cases as consolidated by the Supreme Court under the name of the case that originated in Topeka, Kansas. First to join the Kansas NAACP suit was Lucinda Todd, secretary of the Topeka chapter of the NAACP. Thirteen parents eventually comprised the plaintiff roster. Nearly the last to join, and the only man, was Oliver Brown, father of three daughters, who was asked to join the litigation by local NAACP attorney and personal friend, Charles S. Scott, Sr. In its unanimous decision in 1954, the Supreme Court famously declared that “in the field of public education the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.”

The City of Topeka began integrating its elementary schools even before the *Brown* decision was handed down, and children of both races could attend Monroe Elementary by the mid-1950s. The school, nonetheless, sat in a primarily African American neighborhood, from which it drew nearly all its students. In 1975, faced with declining enrollment as the neighborhood parents opted to enroll their children in other schools under the Topeka School Board’s Open Enrollment policy, Monroe Elementary School was closed by the School Board. In private hands by 1980, the building was threatened with sale and potential demolition in 1990. The Brown Foundation for Educational Equity, Excellence and Research, created in 1988 by Oliver Brown’s family and friends with support from the community, organized a rapid and

strong public campaign to raise awareness of the historical significance of Monroe Elementary School for its association with the *Brown* decision. The Brown Foundation quickly gained the support of the Kansas Congressional delegation, and, in October 1992, Congress authorized the Brown v. Board of Education National Historic Site (NHS) via Public Law 102-525, which was signed into law by President George H.W. Bush. The purpose for creating Brown v. Board of Education NHS, according to the legislation, was to “preserve, protect, and interpret for the benefit and enjoyment of present and future generations, the places that contributed materially to the landmark United States Supreme Court decision that brought an end to segregation in public schools,” to interpret the role of the *Brown* decision in the civil rights movement, and “to assist in the preservation and interpretation of related resources within the city of Topeka that further the understanding of the civil rights movement.”

Brown v. Board of Education NHS is the only unit of the National Park System that commemorates and interprets a decision of the Supreme Court and is one of the few that interprets an aspect of constitutional history. The park is located within what has long been the NPS Midwest Region but is currently titled the Department of the Interior (DOI) Region 3, 4, 5, the headquarters office for which is in Omaha, Nebraska. When it was established by Congress in 1992, the park consisted of the former Monroe Elementary School, on SE Monroe Street in Topeka, on a site encompassing two acres. The former school required extensive restoration and rehabilitation before it could be opened to the public. National Park Service (NPS) staff originally occupied office space in the main U.S. Post Office building in downtown Topeka until work on Monroe Elementary School was completed. Work to restore Monroe Elementary and plan for exhibits in the newly restored space required more than a decade, and the park formally opened to the public in 2004 on the 50th anniversary of the *Brown* decision. In addition to providing tours and exhibits at the former Monroe Elementary School, the park works with partners throughout the Topeka community and elsewhere to provide interpretation and education about the *Brown* decision in relation to the broader civil rights movement and the ongoing quest for racial justice and equality. From the origins of the park in 1992 until 2011, the park’s principal partner was the Brown Foundation, which provided extensive support for interpretive and educational programs and collaborated on many public programs. In May 2022, Congress passed legislation that expanded the boundary of the park to include two schools associated with the *Brown* decision—Summertown High School and the former Scott’s Branch High School, both in Clarendon County, South Carolina—and redesignated the park as Brown v. Board of Education National Historical Park (Figure 1). The legislation also identified five schools as affiliated areas: Robert Russa Moton High School in Farmville, Virginia; Howard High School in Wilmington, Delaware; Claymont High School in Claymont, Delaware; Hockessin School #107 in Hockessin, Delaware; and John Philip Sousa Junior High School in the District of Columbia. The new legislation expanded the boundary of the park in Topeka, allowing for the acquisition of a triangular-shaped parcel in the park across SE Monroe Street from the school that will provide parking for visitors to Monroe School (Figure 2).

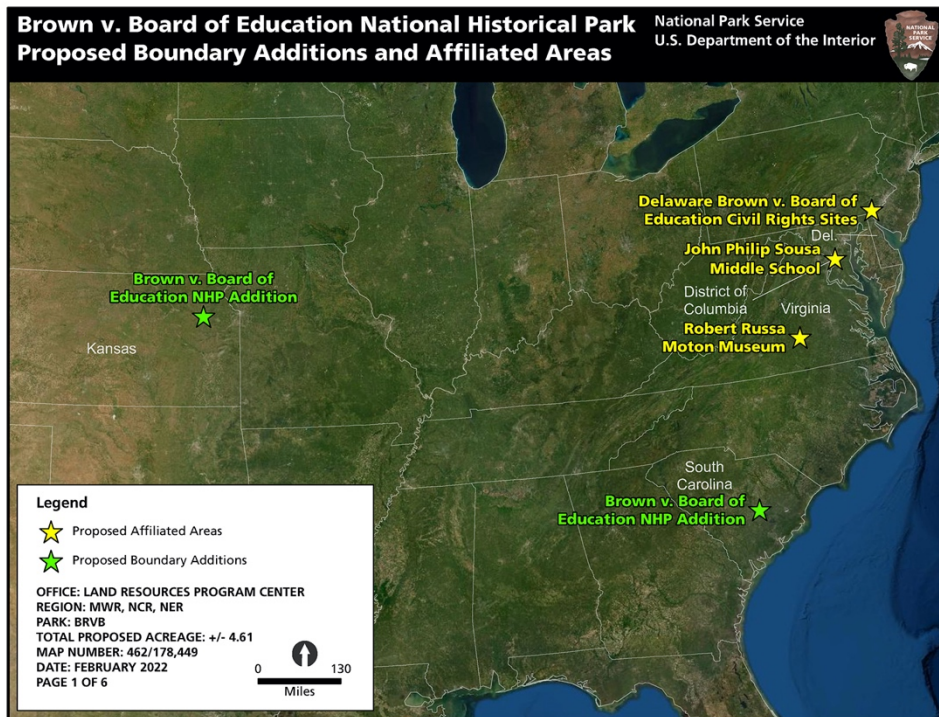


Figure 1. Map showing sites incorporated into Brown v. Board of Education NHP in 2022.

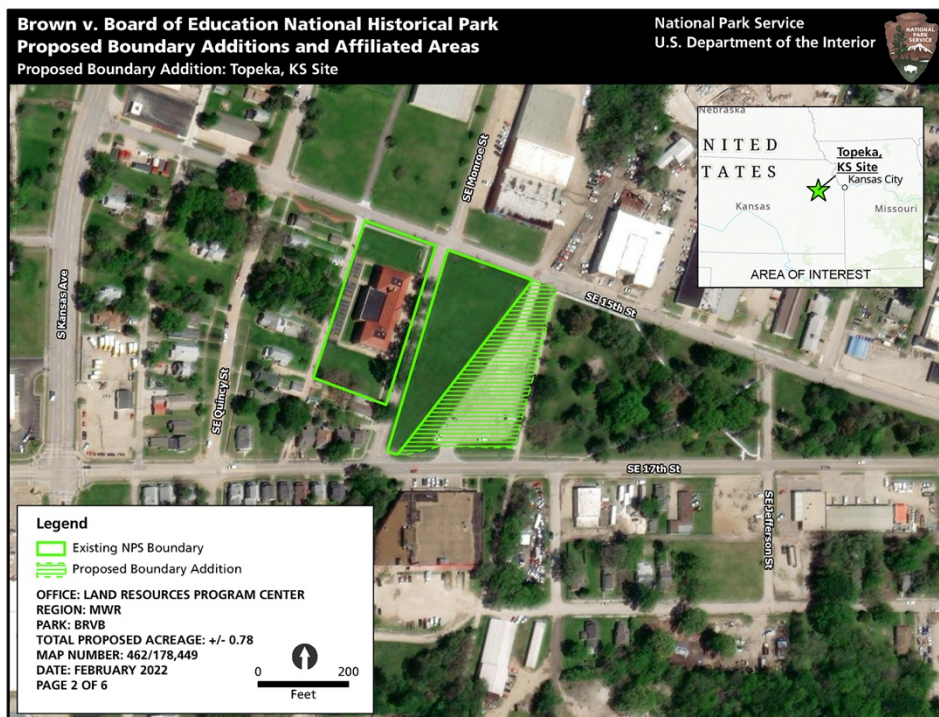


Figure 2. Map of Brown v. Board of Education NHS, showing parcel added to the park in 2022.

The *Brown v. Board of Education* decision by the Supreme Court did not, on its own, fundamentally alter the nature of the United States of America. It was, however, a vital turning point in the nation's history when the highest court in the land proclaimed definitively that racial injustice of any sort had no sanction in the country's public life. While it did not immediately change the hearts and minds of all Americans, it did provide a basis from which those who sought justice and equality could draw strength, and a standard to which they could turn when injustice was manifested. Brown v. Board of Education National Historic Site reserves one of the schools in the landmark decision and engages in interpretation that helps visitors understand the history of racial segregation which led to it and the courage of those who helped the nation strive toward its fundamental purpose.

The purpose of this Administrative History of Brown v. Board of Education National Historic Site is to explore how the National Park Service has developed a national park centered around the *Brown v. Board of Education* Supreme Court decision. When it was first established by Congress, the park consisted of only one of the segregated schools for African American children in Topeka. From its early years, however, the park was dedicated to the broader story of interpreting the origins and national impact of the Supreme Court case which was partly based on this school. This study, using a combination of archival research and oral history interviews, explores the origin, establishment, and development of this unit of the National Park System. The principal sources for this study are the administrative files in the park's headquarters in the former Monroe Elementary School. An important component of the present study are oral history interviews with individuals who are knowledgeable about the park's history and operations, including previous and current park and regional office staff, volunteers, and professionals who have collaborated with the park in various ways. These oral history interviews, which were transcribed and transferred to the park, provide information that may not be recorded in the park's documents and invaluable insights into the basis for many decisions and actions. In addition, the papers of the Brown Foundation located at the Kenneth Spencer Research Library at Kansas University in Lawrence, Kansas, provide useful information about the efforts of the Brown Foundation to protect Monroe School and guide its designation as a National Historic Site and to develop programs in support of the park. Finally, local and regional newspapers proved extremely useful to help fill gaps in the documentary record.

This study was produced by Outside The Box, LLC (OTB) under contract with the Midwest Regional Office of the National Park Service. Bruce G. Harvey, Ph.D. served as the Principal Investigator and primary author of the study. Deborah E. Harvey, MHP served as the Project Historian, conducting the oral history interviews with the assistance of Rachael Bledsaw, and editing the entire document. The contract for this project was awarded in September 2019 for an intended two-year period. Unfortunately, restrictions put in place to limit the spread of the COVID-19 pandemic caused a delay in the process, because the park was unavailable for research access until the spring of 2021. In addition, OTB was obliged to conduct nearly half of the oral history interviews remotely, either by telephone or video conferencing, with the approval of the Midwest Regional Office. Research resumed in June 2021 with the support of park staff, requiring that the contract be extended.

Regional Historian Ron Cockrell guided this project, as he has so many other administrative histories produced by OTB and others, with consummate skill, sharing

specific knowledge and insights about the park and regional office history and his invaluable experience in the preparation of these types of documents. In addition, Brown v. Board of Education NHS Superintendent Sherda Williams supported the project with enthusiasm, kindness, and generosity, making available staff time and support that made the research vastly more productive. Finally, as will be discussed in a later chapter, the Brown Foundation for Educational Equity, Excellence and Research was vital to the early history of the park, spearheading its establishment by Congress and supporting and guiding its early interpretive efforts. The close relationship between the park and the Brown Foundation ended in acrimony amid mutual suspicions and disagreements, described later in this document. Despite this difficult end to what had been a close and productive relationship with the park that she helped to create, Brown Foundation founding president Cheryl Brown Henderson graciously agreed to take part in an oral history interview for this project. In addition, Ms. Brown Henderson provided extensive and very useful comments on an initial draft of this report to Cockrell which were shared with the Principal Investigator, the results of which have been incorporated into the final report. We are grateful to her, and to all who shared their time and recollections with us. This fascinating project about a park that deals with some of the most important issues in American history would not have been possible without them.

Chapter 1: Historical Background

Introduction: Constitutional Background

It is a concept that is drilled into nearly every student who takes a civics class in this country: America is a nation of laws. This concept includes several components. First, there is law, more properly, several layers of law, that are written down and accessible to all citizens. Second, these laws apply to all citizens regardless of station or status. This concept does not apply to all nations today, and it was even less widespread in the late eighteenth century when the United States of America was founded. It was then a new application of a series of propositions in political theory developed over the previous several centuries: that a people could be sovereign and choose a form of government to which the people would submit voluntarily, and that this government would protect and ensure certain rights that naturally belonged to all people. These natural rights were formulated in various ways by different theorists, but Thomas Jefferson's summation in the preamble to the Declaration of Independence lies at the heart of the American nation: the rights to life, liberty, and the pursuit of happiness. In the immediate wake of the American Revolution, the founders of the American nation, which emerged from the already-existing governments of the several states, then instituted the novel concept of a written Constitution that would serve as the fundamental law of the land. The United States Constitution incorporated the concept of natural rights that belong to all people as summarized in Jefferson's preamble to the Declaration of Independence and identified as the true source of authority the people of the states that joined together. The new Constitution also determined the form of the new government and enumerated the responsibilities of this new central, federal government as well as its limitations. The Constitution then served, and still serves today, as the foundation for positive laws that guide the specific aspects of the lives of individuals and as a signpost pointing these positive laws in the right direction.

The founders of the new American government also built a third aspect into the new Constitution. The three principal functions of the government—Executive, Legislative, and Judicial—were separated into distinct branches and provided with mechanisms to allow them to each balance the power of the others. While all three are necessary and of equal importance for the proper functioning of the government as it was planned, for the purposes of this administrative history of *Brown v. Board of Education National Historic Site (NHS)*, the most important is the Judicial Branch, which is tasked with determining whether the actions of the other two branches are in accord with the nation's fundamental law, the United States Constitution.¹

Like any written document, the full meaning of the Constitution is not always clear on its face, particularly in relation to newly arising questions and situations that were not anticipated by those who wrote it. The Judicial Branch consists of several levels of courts, from courts closest to the people at the local level through courts at the state and regional level, all designed to help ensure that the creation and application of laws and regulations at local, state, and national levels stay as close as possible to the direction provided by the Constitution. At the top of this pyramid

¹ Although the park was redesignated as a National Historical Park as part of the *Brown v. Board of Education National Historical Park Expansion and Redesignation Act* (signed into law on May 12, 2022), the park was designated a National Historic Site during the bulk of the period covered in this administrative history and will be called so throughout with the exception of references to the brief period following enactment of the new law.

of courts, established for particularly challenging issues that cannot be addressed elsewhere and that may set far-reaching precedents for future interpretations of the U.S. Constitution, is the Supreme Court.

This arrangement represents a grand theory of governance and is, moreover, a theory that has generally been put into practice remarkably well in the United States for nearly two and one-half centuries, longer than any other single government in the world. The enactment of this theory in the American government, however, has an inherent flaw, a flaw that, though not fatal, has proved difficult to overcome. By the time the Constitution was written in the late 1780s, many of the new American states, formerly colonies of England, had relied upon human slavery as the underpinning of their agricultural economy for nearly one hundred and seventy years. This was a system in which people, primarily from Africa, were brought to the English colonies and forced into the status of chattel property. It had developed as an institution to the point that it was woven into the social, political, and economic fabric and cultural assumptions of the new nation and, therefore, was validated, however obliquely and euphemistically, in the Constitution itself. Although leaders and citizens in many of the new states abhorred the practice and sought its eradication, in writing the Constitution and other laws for the new country, they were obliged to compromise with leaders in states where slavery was the law and was deeply entrenched in the economy, politics, and cultural assumptions of those states, to craft the laws by which all citizens of the new nation would abide. The Declaration of Independence from England proclaimed, “We hold these truths to be self-evident: that all men are created equal,” but the condition of servitude of a significant portion of the population called this truth into question.

The federal government, particularly its Legislative branch, was called upon to address this inherent conflict beginning shortly after the nation’s founding, and it failed to solve the problem. Political influence and the mechanisms of power in Congress, claims of economic hardship, local tradition, and racism, both open and veiled, kept Congress and the Supreme Court from removing this flaw built into the structure of the government in a peaceful way. Although the Civil War from 1861 to 1865 finally broke the hold of legal enslavement in the nation, after which it was no longer allowed under the laws of any state or territory, it did not solve the cultural and racial assumptions that stretched back countless generations and led Americans from all regions to see Americans of African descent as inferior, in need of either subjugation or paternalistic protection. Congress, in the hands of the victorious northern states for a decade after the Civil War, proposed three amendments to the Constitution, all of which assigned to the federal government a new role: to positively protect the rights of all people, rather than simply not to interfere in the rights of the people, as had been the case in the past. These three new amendments to the Constitution—the Thirteenth, Fourteenth, and Fifteenth Amendments, ratified by the required majority of states in the late 1860s—forbade the individual states from creating laws that permitted enslavement, from denying the citizens their right to life, liberty, and property without due process of law or equal protection under the law, and from denying any citizen the right to vote on the basis of “race, color, or previous condition of servitude.” These amendments, however, were subject to various interpretations throughout the late nineteenth century. As the gains made by African Americans in the Reconstruction Era immediately following the Civil War began to recede amid flagging political interest among northern leaders throughout the 1870s and 1880s, lawyers fought to protect the rights of African Americans by appeal to the Constitution and its amendments. Defeat after defeat, from District Courts to the

Supreme Court, from the late nineteenth to the early twentieth centuries, plagued their efforts to protect even basic rights such as the right to vote and the right to own property.

This long struggle, extending through generations, to have the Constitution interpreted definitively in a way that remedied the injustices created by the inherent conflicts in the nation's fundamental law, the Constitution, finally found success in 1954 when the Supreme Court found in favor of racial equity in the *Brown v. Board of Education of Topeka, Kansas* decision. Though not the end of the quest for justice for the nation's African Americans, it was at least the first true turning point in the attempt to have the laws of the nation more closely reflect the values on which the nation was founded. This sense of a new beginning after centuries of oppression helps to make the *Brown v. Board of Education* decision a seminal point in the history of America and its Constitution. The *Brown v. Board of Education* NHS was created to help to explain why this Supreme Court decision was important, not just to African Americans but to all Americans, as a demonstration that this still is a nation of laws.

***Brown v. Board of Education* Historic Background: Legal Precedent**

The Supreme Court decision in *Oliver Brown et al. v. Board of Education of Topeka, et al.*, marked a significant turning point in American race relations. It also can be seen as a culmination of an even longer series of legal and legislative actions that stretch back to 1857, when the United States Supreme Court decision in *Dred Scott vs. Sanford* held that the Constitution did not intend for the enslaved to become citizens, and to the end of the Civil War in 1865, when Congress proposed and the states ratified the Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution. Together, these amendments required equal access to the laws for all citizens regardless of race. After an initial flurry of laws and Congressional support for full civil rights for the nation's African Americans in the years following the Civil War, even this nominal support began to wane as early as the 1870s. Throughout the late nineteenth and well into the twentieth centuries, this retreat from the promises of the post-Civil War Constitutional amendments was conducted largely by the states, particularly in the South but also in the North, and drew steady support from legal decisions handed down by the Supreme Court.

In the decade following the Civil War, known as the Reconstruction Era, when the devastated nation was being rebuilt, Congress was in the hands of the states of the former Union, and the former Confederate states were only gradually allowed representation. In the face of a *de facto* return of enslavement throughout the southern states immediately after the Civil War through the development of farm tenancy and sharecropping in the former Confederate States, Congressional leaders sought to increase protections for the formerly enslaved beyond amending the Constitution by creating positive laws to support those amendments. Their efforts culminated in the Civil Rights Act of 1875. This law banned discrimination based on race in public accommodations, public transportation, and in selection for juries. The passage of this act was a last gasp, however, as the combination of an economic depression and revelations of corruption in the administration of President Ulysses S. Grant led to massive Republican losses in the House of Representatives in 1875. The loss of power meant Republicans were unable to support the policies of Reconstruction, a process that was symbolized by the complicated political deal known as the Compromise of 1877 by which Rutherford Hayes, a Republican, became president of the United States, and Republican leaders agreed to support the withdrawal of federal troops

from Louisiana and South Carolina in return for Democratic support for Hayes. The presence of federal troops, as much as political support, was vital to the enforcement of federal civil rights laws, and their removal was uneven throughout the former Confederate states, in some places lingering into the 1880s and delaying the end of Reconstruction. As southern states regained political representation and power, the provisions of the Civil Rights Act of 1875 were rarely enforced, and, in 1883, the Supreme Court issued a decision that it was unconstitutional on the grounds that Congress did not have the authority to regulate private interactions. The so-called “Civil Rights Cases” decision then served as precedent for a long series of lower court and Supreme Court decisions that provided one setback after another for the rights of African Americans. These actions led to the increasing losses through the late nineteenth century of civil rights by African Americans that had been gained during Reconstruction, losses made complete in the 1890s by the passage of new state constitutions in the former Confederate South that effectively stripped African Americans of their basic civil rights.

The next landmark decision came in 1896, when the Supreme Court decided the *Plessy v. Ferguson* case. In New Orleans after the Civil War, African Americans had retained from the ante-bellum period a degree of social and political autonomy that was rare in the South. In 1892, however, the State of Louisiana enacted a law that required separate railroad cars for whites and African Americans. Homer A. Plessy, an African American, was arrested in June 1892 for riding in a car set aside for whites only, providing the basis for a lawsuit charging that the law violated the Fourteenth Amendment to the Constitution. Citing precedent from the Civil Rights Cases of 1883 as well as various state court decisions, the Supreme Court in 1896 decided that separate facilities in public transportation were in line with the Constitution and upheld the law. The decision was not unanimous, however, and Associate Justice John Marshall Harlan, a native of Kentucky, wrote a robust and impassioned dissent. While acknowledging that whites likely would remain the dominant race in the country, he argued that

In the view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is color-blind and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The law regards man as man and takes no account of his surroundings or his color when his civil rights as guaranteed by the supreme law of the land are involved. . . . The arbitrary separation of citizens, on the basis of race, while they are on a public highway, is a badge of servitude wholly inconsistent with the civil freedom and the equality before the law established by the Constitution. It cannot be justified upon any legal grounds. . . . We boast of the freedom enjoyed by our people above all other peoples. But it is difficult to reconcile that boast with the state of the law which, practically, puts the brand of servitude and degradation upon a large class of our fellow citizens, our equals before the law. The thin disguise of “equal” accommodations for passengers in railroad coaches will not mislead anyone, nor atone for the wrong this day done.²

The majority decision was prepared by Associate Justice Henry Billings Brown, who stated that the Fourteenth Amendment assured political equality but no more than that, an

² *Plessy v. Ferguson*, 163 USC 537 (Harlan, J.M. dissent). The majority decision and Justice Harlan’s dissent can be found at <https://www.law.cornell.edu/supremecourt/text/163/537> (accessed May 16, 2020).

approach which informed future decisions in civil rights cases that applied to many different aspects of civic life. Although the state law which the Court considered related specifically to public transportation, the *Plessy* decision quickly was extended to public education as well. In 1899, for example, the Supreme Court in *Cumming v. Richmond County Board of Education* refused to require Richmond County, Georgia, to provide a high school for African American students, claiming that it did not have jurisdiction to interfere in the decisions by a state court since it could not determine that the state court's decision had violated the Fourteenth Amendment. This effectively allowed segregation of the races in public education since it did not forbid it.

As the twentieth century opened, in the absence of any substantial opposition on legal grounds, southern political leaders, in particular, felt emboldened to enforce racial segregation and deny civil rights to African Americans. They received additional support from the Supreme Court in 1908, when, in *Berea College v. Kentucky*, the Supreme Court allowed the State of Kentucky not just to permit segregation, but to require it. Berea College, a small Christian college in central Kentucky, was founded as a non-segregated college in the 1850s and continued to function that way until a 1904 state law required segregated educational facilities. In 1908, the Supreme Court upheld the state law. This decision accelerated the creation of segregation laws throughout principally the South, but also other states in the nation through the 1910s and 1920s, which the Supreme Court continued to uphold well into the 1920s. As Richard Kluger observed,

By the close of the third decade of the twentieth century, then, segregation of the Negro and other blatant denials of his rights as a citizen were more pervasive in the United States than they had been in 1900. And the Supreme Court, despite skilled arguments before it in the black man's behalf by white lawyers of the highest ability, continued to interpret the Constitution in ways that legitimized his banishment.³

As conditions for African American citizens were reaching a nadir in the 1910s and 1920s, Americans of both races founded new organizations that hoped to restore civil rights and recover the promises of the post-Civil War Amendments. In 1905, W.E.B. DuBois and William Monroe Trotter formed The Niagara Movement, which lobbied actively to stem the growing tide of African American segregation and disfranchisement. This organization opposed the accommodationist approach being urged by Booker T. Washington, president of Tuskegee Institute, now Tuskegee University, in Alabama. Four years later, DuBois and others organized the first National Negro Conference at Cooper Union in New York City, which featured many presentations of scientific and sociological data pertaining to the deteriorating conditions facing African Americans throughout the nation. In 1910, the organizers held the second annual National Negro Conference, at which the National Association for the Advancement of Colored People (NAACP) was formed. Throughout the ensuing decades, particularly from the 1930s onward, the NAACP took the lead in fighting legal battles aimed at dismantling racial segregation and disfranchisement. Influenced by the pioneering African American lawyer and educator Charles Houston, who revamped Howard University Law School to train lawyers who could take on civil rights issues in courts throughout the nation, the young attorney Thurgood Marshall was one of the NAACP's leading attorneys who made multiple appearances before the

³ Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* (NY: Alfred A. Knopf, 1976), 123.

Supreme Court in this endeavor. In particular, the NAACP's legal arm contested the questions of voting rights and desegregation in education at all levels. The NAACP's Legal Defense and Education Fund (usually shortened to Legal Defense Fund [LDF]) was pivotal through the 1940s and 1950s in developing local and state civil rights activism throughout the nation.⁴

Public opinion began to shift for civil rights through the 1940s. Nationally, the LDF achieved victories that began to chip away at segregation laws, and the federal government under President Franklin D. Roosevelt became less likely to tolerate overt racism and discrimination. In addition, President Roosevelt's picks for the Supreme Court, including Felix Frankfurter, William O. Douglas, Frank Murphy, and Hugo Black, all helped to move the court toward an increased openness to racial justice.⁵ As the historian John Kirk states, "The tension between rising black activism coupled with federal pressure and whites' desire to maintain the status quo helped usher in a new era in race relations."⁶

Regarding civil rights in education, the NAACP under Houston and Marshall, together with other like-minded attorneys, made several significant gains in the federal and state courts and at the Supreme Court beginning in the 1930s. These included a victory in *University of Maryland v. Murray* (1936), in which the Maryland Supreme Court required the University of Maryland to admit an African American student because the state did not provide a law school for African Americans. In *Missouri ex rel. Gaines v. Canada* (1938), the Supreme Court ruled that the State of Missouri did not fulfill its "separate but equal" requirement for African American students by sending black law students to schools outside the state and, therefore, had to admit an African American student at the state university. In 1940, a federal district court in Virginia ruled in *Alston v. School Board of City of Norfolk* (1940) that the State of Virginia must provide equal pay for white and African American teachers.

Although actions to pursue racial justice through the courts were largely on hold during World War II, the NAACP and others resumed the effort with gusto in the late 1940s and early 1950s. Several factors contributed to this rapid increase in legal actions in support of civil rights. The NAACP had maintained its work throughout the war, including through the LDF, which continued to develop relationships with state and local civil rights groups. With the end of World War II, in which hundreds of thousands of Americans fought against fascism, returning soldiers became more aware of the discrepancy between the stated aims of the war, the positive treatment which the Tuskegee Airmen and other African American soldiers were given in the European nations, and the deeply contrasting conditions which African Americans faced in this country. In 1947, President Harry S Truman reflected this sentiment when he convened a government commission that investigated the state of civil rights in America. The report of this commission, titled *To Secure These Rights*, was released in 1947 and strongly condemned the racial discrimination found throughout American society in housing, employment, education, voting, and military service. In its report, the Commission urged that the Executive Branch create new departments and Congress create new laws designed to investigate cases of discrimination, to begin reversing discriminatory practices in hiring, and to make lynching a federal crime.

⁴ John A. Kirk, *Redefining the Color Line: Black Activism in Little Rock, Arkansas, 1940-1970* (Gainesville: University Press of Florida, 2002), 3.

⁵ Kluger, *Simple Justice*, 218-219.

⁶ Kirk, *Redefining the Color Line*, 53.

President Truman sent a special message to Congress in early February 1948, urging the House and Senate to implement the Commission's recommendations. When Southern Senators threatened a filibuster to prevent the implementation, Truman signed a series of Executive Orders in 1948, putting an end to segregation in all military branches and guaranteeing fair employment practices in civil service hiring. Truman also strengthened the Department of Justice's civil rights division and appointed William H. Hastie, Jr. as the first black judge to a federal court.

Court decisions in the late 1940s and early 1950s mirrored these shifts in federal policies. One of the most significant precursors to *Brown v. Board* was a federal appeals court's ruling in *Westminster School District v. Mendez* in 1947. In this decision, the court struck down segregated schooling for Mexican American and white students in Westminster, California. Governor Earl Warren, who was later appointed by President Dwight Eisenhower in 1953 to replace Chief Justice Fred Vinson on the Supreme Court, led the effort to repeal a state law that required segregation of American Indian and Asian American students. A year later, in 1948, the Supreme Court ruled in *Sipuel v. Board of Regents of the University of Oklahoma* that the University of Oklahoma must admit a black student to its law school since there was no law school for African Americans in the state. Two further rulings by the Supreme Court in 1950 also constituted significant civil rights victories. In its *McLaurin v. Oklahoma Board of Regents for Higher Education* decision, the Court ruled that a law school policy which isolated an African American student from his white fellow students was unconstitutional. Finally, in *Sweatt v. Painter*, the Supreme Court reversed a lower court ruling and rejected a plan by the State of Texas to create a separate law school for blacks. In its unanimous decision, the Court argued that the new law school would be clearly inferior in terms of faculty, course selections, and library facilities, among other things.

All these legal victories from the 1930s to the early 1950s were important in advancing the cause of civil rights and racial justice in America. None, however, directly challenged both facets of the "separate but equal" provision in *Plessy v. Ferguson*. Instead, most of these court cases were decided on the clearly provable fact that the facilities for blacks and whites were not equal. The more daunting task was to build a case proving that the fact of racial separation itself was contrary to the Constitution, particularly the Fourteenth Amendment, which stated that

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Making the case that racial segregation itself violated the provisions of the Fourteenth Amendment, particularly in light of the Supreme Court's precedent set in 1896 with the *Plessy v. Ferguson* decision, proved remarkably challenging.

The *Brown v. Board of Education* case heard before the Supreme Court beginning in late 1952 was the direct result of the NAACP Legal Defense Fund's strategy. Thurgood Marshall had built the LDF into a powerful national network of attorneys and activists committed to seeking racial justice in America. By working with state NAACP chapters and other local organizations, the LDF inserted itself into a variety of civil rights

lawsuits that took aim at all forms of racial discrimination, but particularly in the area of segregation in education. Marshall and his LDF colleagues realized that individual cases, given the particular local context of each, could more easily be dismissed when undertaken separately. Instead, as journalist and author Richard Kluger explained, a viable legal challenge against school segregation nationally “would require a small constellation of suits, presenting the question to the Supreme Court in a variety of civic settings, so that the Justices could not shrink from confronting it directly in at least one of them.”⁷ The case heard before the Supreme Court, therefore, was a consolidation of five separate civil rights cases that had been moving through the lower courts since the late 1940s, all of which targeted segregation in education. The lower court decisions of four of these cases had been appealed; the Supreme Court itself decided to hear one of them, originating in Washington, DC, because of the issues that it raised.

In *Bolling v. Sharpe*, the U.S. District Court in the District of Columbia dismissed the complaint brought by the parents of a group of African American high school students who sought to gain admission to John Philip Sousa Junior High School in the District of Columbia. The case originated in efforts by parents of African American students in the Anacostia neighborhood to gain access for their children to the all-white school there beginning in the early 1940s and continuing through the decade. Finally, in September 1950, an African American barbershop owner, Gardner Bishop, led a group of eleven students to the doors of the junior high school, where they were denied entrance. With the support of the NAACP, the parents’ group then filed suit in the U.S. District Court in 1951, on the grounds that the students were denied due process under the Fifth Amendment to the Constitution, which states in part that no person shall “be deprived of life, liberty, or property, without due process of law.” The District Court ruled that, because the District of Columbia is not a state, the Fourteenth Amendment does not apply there. The District Court dismissed the case, but the Supreme Court issued a writ of certiorari, which provided for judicial review by a higher court, on the grounds that it had implications for constitutional precedent.

Briggs v. Elliot, which was based in Clarendon County, South Carolina, likewise emerged from efforts by parents in the 1940s to rectify the conditions under which their children were offered an education by Clarendon County, with primitive physical facilities and educational equipment in the schools and no bus transportation provided for students by the school district. Attempts by parents to have the county provide bus transportation for African American students to attend their own school were denied, and those who advocated for the improved conditions were subjected to intimidation and loss of jobs. Despite these hazards, the Rev. Joseph A. DeLaine worked with Harry Briggs, the parent of one of the African American school children, to bring a suit requiring the county to provide equal school facilities for both races. The NAACP LDF agreed to support the suit if the complaint was extended to all educational facilities, not just transportation. Although the first attempt in 1948 was dismissed on a technicality, the second attempt in 1949 was heard by a lower court. The suit lost in the lower court and in an appeal at the U.S. District Court, but the LDF made a successful appeal to the Supreme Court.

⁷ Kluger, *Simple Justice*, 396.

The third case that was consolidated into *Brown v. Board of Education* was itself a consolidation of two cases in Delaware. In *Belton v. Gebhart*, African American parents in Claymont, Delaware, brought suit against the State Board of Education to allow their children to attend the local Claymont schools, which were for white children only, rather than bus them twenty miles away to an inferior school for black children. In *Bulah v. Gebhart*, an African American mother in rural Hockessin, Sarah Bulah, asked the state to provide transportation for her adopted daughter on a bus that passed her house; she was told that the bus was for white children only. In 1951, the cases were heard before the Delaware Court of Chancery. The court decided in favor of the plaintiffs in both cases, though it declined to find that the segregation enforced by the school districts denied the students' rights under the Fourteenth Amendment, arguing that could be decided only by the Supreme Court, given the precedent in *Plessy v. Ferguson*. Instead, the court found that the educational opportunities offered to African Americans were in no way equal to those offered to white students and ordered the school districts to remedy the situation by admitting African American students into the all-white Claymont School. Upon appeal by the State Attorney General, the Supreme Court of Delaware, in August 1952, unanimously upheld the Court of Chancery's decision, and the school districts then appealed the case to the Supreme Court.

The fourth case arose in Virginia. In April 1951, African American high school students in Farmville led a protest and strike against the unequal conditions of schools and requested that the NAACP provide assistance. Responding quickly, the NAACP filed suit in May 1951 in U.S. District Court. In *Davis v. County School Board of Prince Edward County*, however, the NAACP changed its strategy. Rather than requesting that the school district simply provide equal facilities, the suit took direct aim at school segregation itself, asking that the court strike down the state law that required segregated schools. The three judges in the District Court heard the case in 1952 and unanimously found in favor of the school board, noting that "We have found no hurt or harm to either race." As Richard Kluger described it, "In Virginia, the court found segregation a venerable custom of the people that harmed neither race and indeed benefited the Negro."⁸ The NAACP appealed the decision, and the Supreme Court agreed to hear it.

Brown v. Board of Education of Topeka, Kansas

The fifth case, under which the other four were consolidated, originated in Topeka, Kansas. Under the leadership of the Topeka NAACP Chapter President McKinley Burnett, thirteen African American parents agreed to take part in a lawsuit filed by three African American attorneys to integrate Topeka's elementary schools. Filed under the name of Oliver L. Brown, who was the only male among the roster of plaintiffs, their case became known as *Oliver Brown et al vs. Board of Education of Topeka, et al.* The case was unsuccessful in lower court and was appealed to the United States Supreme Court.

Even before it became a state in 1861, Kansas had been a battleground between pro- and anti-slavery forces. Kansas was north of the "Missouri Compromise" line, which was the result of an agreement among members of Congress in 1820 when Missouri

⁸ Ibid., 507.

sought to become a state. In this agreement, Maine was admitted as a free state and Missouri was admitted as a slave state to preserve the balance of power between the North and the South in Congress; slavery would be otherwise prohibited in any new states north of Missouri's southern border. In the 1850s, as the nation's new railroads sought to expand across the Great Plains, Congress moved toward opening the lands west of Missouri to new settlement. The prospect of new territories, however, brought with it the question of the expansion of slavery. In an attempt to settle the issue peaceably, Congress passed the Kansas-Nebraska Act of 1854 (10 Stat. 277) which created the Territories of Kansas and Nebraska. In the law, Congress repealed the Missouri Compromise but declined to decide on the status of slavery in the new territories despite that they were north of the former Missouri Compromise line. Instead, the law allowed citizens in the new territory to decide the issue by popular sovereignty: the people who lived in the territories were allowed to vote on its status. While nearly all parties assumed that Nebraska would enter the Union as a free state, the Kansas Territory was subject to dispute.

With its status up to the people who lived there, partisans on both sides of the slavery question from throughout the country quickly moved to the Territory seeking to gain control, each claiming to have formed a provisional state government. Pro-slavery settlers from Missouri held a territorial convention and formed the first territorial legislature, which sought to create laws supporting slavery. President Franklin Pierce, a northern Democrat, threw his support behind this pro-slavery territorial government. Abolitionists from New England and elsewhere soon followed, however, setting up the communities of Lawrence and Topeka as free-soil enclaves. Abolitionists held a second territorial convention in Topeka which forbade slavery but excluded free blacks. With the two rival governments in place, widespread violence soon broke out throughout the Territory between pro- and anti-slavery factions during a period that came to be known as "Bleeding Kansas."⁹

The violence in Kansas, which lasted from 1855 until 1859, contributed to and was part of the polarization of the nation over the issue of slavery in the years leading to the Civil War. As Rachel Franklin Weekley observed in the historic resource study for the Brown v. Board of Education National Historic Site, events in Kansas in the late 1850s "served as a microcosm for the ultimate, national clash over slavery."¹⁰ Despite strong support for the pro-slavery territorial legislature by President James Buchanan, also a northern Democrat, anti-slavery forces eventually gained the upper hand in Kansas and, in the late 1850s, passed a proposed state constitution which forbade slavery but denied free blacks the right to vote, as well as establishing the community of Topeka, founded in late 1854, as the state's capital. In January 1861, following the secession of seven southern states after the election of Abraham Lincoln as president, Congress formally admitted Kansas to the Union as a free state.

⁹ Rachel Franklin Weekley, "*A Strong Pull, A Long Pull, and a Pull Altogether:*" *Topeka's Contribution to the Campaign for School Desegregation, Historic Resource Study, Brown v. Board of Education National Historic Site, Topeka, Kansas* (Omaha, Nebraska: Midwest Regional Office, National Park Service, December 1999), 12-13. See also Kluger, *Simple Justice*, 369.

¹⁰ Ibid.

There were enslaved people in Kansas as early as the eighteenth century, and Missouri settlers in the late 1850s brought more enslaved people with them. At the same time, a number of free blacks also migrated to Kansas in the 1850s, drawn there by the growing strength of the free-soil settlers. The Homestead Act of 1862, promising 160 acres of public domain land at no cost to settlers who lived on and improved their land for a certain period of time, drew many free blacks as well as white settlers, and Kansas' "libertarian reputation" was an important draw as well. After the American Civil War, the promise of free or inexpensive land in Kansas in the 1870s and 1880s, combined with deteriorating conditions in the South after the end of Reconstruction, led to a rapidly increasing African American population from the late 1870s through the end of the century. Many entrepreneurs created companies that made arrangements for the establishment of new communities in Kansas, recruiting African Americans in eastern states, particularly those in the South, to join the company and move to the Plains. The most well-known, and well-preserved, of these communities is Nicodemus, Kansas, a community in Graham County approximately 250 miles west of Topeka. It was composed of African American settlers, largely from Kentucky, who arrived in 1877. The town grew quickly, reaching a population of nearly 700 by 1880, though it began losing population by the late 1880s as a result of poor harvests, natural disasters, conflict with neighboring white ranchers, and a railroad connection that never materialized. This community continues to exist to the present, unlike most of the other African American communities formed in western states at that time.¹¹ In fact, Congress added Nicodemus National Historic Site to the National Park System in 1996.

In addition to serving as the state capital of Kansas, Topeka acted as a gathering spot for those settlers heading further west into the prairie. Many of the intended settlers of both races opted to remain in Topeka rather than continue west and take up homesteads, and, by the early 1880s, the African American population of the city had grown to more than 3,600 of a total population of approximately 30,000. The city's African Americans formed a robust and thriving community with businesses, churches, and newspapers, and an increasing number of professionals and entrepreneurs gave added prominence to the community, which grew to nearly 5,000 by 1900.¹²

Despite the growing stability of the city's African American community in the late nineteenth century, which made it a relatively appealing place for migrants, racial prejudice remained. Once established in the 1860s, the new Kansas state legislature required racially segregated schools, a law that was extended even after passage of the Fourteenth Amendment in 1867. The state, however, shifted its position on segregated schooling as the rest of the century progressed. As Franklin Weekley observed, Kansas "developed with a bit of a schizophrenic streak, whereby its residents accepted and aided black settlers, but placed restrictions on their full and equal participation in society."¹³ The legislature removed language pertaining to racial segregation in public schools, colleges, and universities in 1876. This lasted only three years, however, and, in 1879, the

¹¹ Weekley *A Long Pull*, 24-25.

¹² *Ibid.*, 27-28.

¹³ *Ibid.*, 42.

state legislature again allowed cities with a population of more than 15,000 people to provide segregated education in elementary schools only. As the population of Kansas grew into the twentieth century, more cities reached this population milestone and implemented segregated elementary schools. By 1950, twelve school districts across the state maintained segregated elementary schools, including Topeka.¹⁴

Topeka was known to be a progressive city with regard to education in the early twentieth century, with a flourishing kindergarten program expanding from the city's African American community in the 1890s to the city as a whole by the 1920s.¹⁵ Elementary schools in Topeka were segregated, as were junior high schools until 1941. High schools were integrated, though only partially: both white and African American students attended classes together, but sports teams, clubs, and social activities remained segregated. In 1949, the Topeka School Board began integrating some athletic and social events on a limited basis.¹⁶ As Richard Kluger has observed, Topeka in the twentieth century was segregated more by custom than by law.¹⁷ African Americans in Topeka built a thriving business and entertainment district known as 4th Street. Many neighborhoods in the city were integrated, including those where the plaintiffs in *Brown v. Board of Education* lived. The four segregated African American elementary schools were the center of community life, which created cause for concern when, in 1948, Topeka NAACP President McKinley Burnett began to push the school board to integrate.¹⁸

The City of Topeka in the early twentieth century prided itself on its support for education and, in the first three decades of the century, built an impressive array of elementary and secondary schools. These included elementary schools for whites and for African Americans. As earlier, small, frame school buildings either deteriorated, burned, or were outgrown, the Topeka Board of Education commissioned architects to design new schools in the latest architectural styles appropriate for public buildings, usually variations on the Classical Revival style. By the mid-twentieth century, the city had four elementary schools for African Americans, including Monroe School. Thomas Williamson, the city's leading architect of public buildings and the Board of Education's preferred architect, designed Monroe School in 1926 to replace an earlier school on an adjacent lot. Completed in 1927, the school was a two-story brick building with eight classrooms, a manual training room for boys, a home economics room for girls, a gymnasium/auditorium, and a kindergarten room.

Two miles to the north, the Topeka Board of Education replaced an older Sumner Elementary School in 1935 with a new one of the same name. This was the fourth school at that location. Originally a school for black children, it was converted in 1885 for use as an elementary school for white children. The building constructed in 1935 replaced a school built in 1901 that had been damaged by fire in 1915 and was allowed to deteriorate to the point that the second floor had to be removed in the 1920s to maintain

¹⁴ Ibid., 44.

¹⁵ Weekley, *A Long Pull*, 49-51.

¹⁶ Ibid., 63-67.

¹⁷ Kluger, *Simple Justice*, 375.

¹⁸ Text courtesy of Cheryl Brown Henderson in comments provided to Ron Cockrell by email on March 12, 2022, who then provided them to the author. Subsequent references to and quotes from this invaluable set of comments will be cited as Brown Henderson, 2022.

structural safety. The 1935 Sumner Elementary School building featured Art Deco architectural elements and was also designed by Thomas Williamson. The distance between the four segregated schools reserved for African American children and the segregated elementary schools reserved for white children created the setting for the *Brown v. Board of Education* Supreme Court case.

The segregated elementary schools for black children in Topeka, Kansas, were noticeably different from those for white children: the black schools had simplified architectural details and materials compared to the white schools. However, they were far closer in size and condition than were schools for blacks and schools for whites in most segregated areas in America. The city's African American schools, moreover, boasted teachers with equal or greater levels of education compared to the teachers in white schools.¹⁹ Despite this relative parity, segregation in Topeka became entrenched and firmly enforced through the 1940s. In response, African Americans in Topeka by the late 1940s had begun making increasing calls for an end to segregation. School desegregation cases in Kansas were argued in the State Supreme Court from 1881 to 1949, so the demand for the end of segregation was not a surprise. In *Reynolds v. Board of Education*, for example, William Reynolds, an African American, sued the Topeka Board of Education to admit his son into a new white school. In its 1903 decision, the Kansas Supreme Court cited *Plessy v. Ferguson* to determine that "state law, legal precedent, and local tradition granted the Topeka board wide latitude in the organization of its school system."²⁰ In 1930, the Kansas Supreme Court in *Wright v. The Board of Education of the City of Topeka, A. J. Stout, and G. L. Coffman* refused to enjoin the Board of Education of the City of Topeka from interfering with the attendance of Wilhemina Wright, an African American pupil, at Randolph school, a school maintained for white pupils, and transferring her as a pupil to the Buchanan school, a school maintained for African American students. In 1941, the Kansas Supreme Court in *U.S. Graham v. Board of Education of Topeka* ruled that the Board of Education must admit a black seventh-grade junior high school student to a white junior high school, on the grounds that the junior high schools were part of high schools, which were integrated in Topeka, and not part of elementary schools, which were segregated. The decision was written narrowly, however, focused only on the question of the status of junior high schools and did not address the question of segregation more broadly. The court decision had far-reaching effects, however, by opening discussions regarding integration within the Topeka School Board and by building support among African American parents for anti-segregation activism.

The Topeka chapter of the NAACP began gaining more members in the 1940s in the wake of the *Graham* decision, particularly under the leadership of chapter president McKinley Burnett, who took office in 1948. With Burnett at the helm, local African American leaders began more intensive work to determine an approach to ending segregation in the city's schools; Burnett began attending Topeka School board meetings on a regular basis in 1948, always signing up to speak during the public comment period. In 1949, the Kansas Supreme Court issued a decision in *Harvey, Webb et al. vs. School*

¹⁹ Weekley, *A Long Pull*, 60-61.

²⁰ Ibid., 64; see also Kluger, *Simple Justice*, 371.

District No. 90, involving the South Park school district in Merriam, Kansas, located in Johnson County approximately fifty miles east of Topeka. This decision, which ordered the desegregation of an elementary school, further strengthened the resolve of Topeka's African American leaders, though Topeka's school board held firm. Superintendent of Schools Kenneth McFarland strongly opposed integration of the elementary schools in Topeka through the early 1950s and was able to maintain control of the school board's position on integration. Opposition to his approach within the school board grew, however, during the late 1940s and early 1950s, particularly in the wake of school board elections in 1950-1951. McFarland's ability to maintain a hard line on integration was further weakened in early 1951 by an unrelated scandal when an audit of the School Board's financial records showed massive waste and fraud.²¹ While McFarland remained in charge, however, particularly in the late 1940s, the school board's intransigence generated widespread support among the African American community for legal action in coordination with the NAACP. Precisely because the physical conditions of schools for blacks and whites were so similar, a legal case against segregation could focus "on the singular practice and rationale of racial separation, rather than on imbalances between the infrastructure and curricula of the dual facilities."²²

The NAACP developed a legal strategy to address this concern in Topeka through 1950 and 1951. In its recruiting efforts, the NAACP's local chapter identified the parents of twenty African American children who could not attend elementary schools in their neighborhoods but, instead, had to attend a school further away. Among these parents were twelve women and one man. Each of these families lived near an elementary school for whites only. One of the parents was Oliver Brown, a 32-year-old welder at the shops of the Atchison, Topeka, and Santa Fe Railroad in Topeka, and an assistant pastor at St. John African Methodist Episcopal (AME) Church. The Brown family lived near Sumner Elementary School, but, because it was for whites only, daughter Linda had to walk to Monroe Elementary School, the closest school for African American children, farther away. It is held that gender was the likely reason for Oliver Brown's name being listed first, giving him the distinction of lead plaintiff. There is no clear statement as to the reason Brown was chosen for this role. Alphabetically, the roster of parent plaintiffs would have been led by Darlene Brown.²³ As Rachel Franklin Weekley concluded, "Although [Brown] and his daughter are often emphasized, hundreds of participants contributed to the NAACP campaign for school desegregation. Many of the other individuals largely have been lost to the anonymity of an *et al.* distinction simply because of legal shorthand."²⁴

The local NAACP also coordinated the work of three African American attorneys in Topeka: Charles Scott, Sr., John Scott, and Charles Bledsoe, while the NAACP's LDF also drew upon years of consultation with psychologists and social scientists regarding the deleterious impact of segregation on the development of African American children for support. The national NAACP's attorneys, Robert Carter and Jack Greenburg, worked with the three local attorneys on strategy because the local attorneys had a better understanding of the local situation. Scott, Scott, and Bledsoe collaborated to file suit against the Topeka Board of Education with the

²¹ Kluger, *Simple Justice*, 404.

²² Weekley, *A Long Pull*, 112; see also Kluger, *Simple Justice*, 394.

²³ Brown Henderson, 2022.

²⁴ Weekley, *A Long Pull*, 116; see also Kluger, *Simple Justice*, 395, 409-410.

U.S. District Court in March 1951 on behalf of the thirteen parents. In August 1951, the District Court found unanimously in favor of the Board of Education. In their decision, however, the three justices led by former Governor of Kansas, Walter Huxman, expressed doubts about the validity of the *Plessy* formula of separate-but-equal and indicated that they were strongly influenced by the psychological and social science evidence presented by the NAACP. Because the facilities for blacks and whites were very nearly equal, however, and since the Supreme Court had not yet overturned *Plessy v. Ferguson*, the justices felt compelled to find in favor of the defendants. Their decision, nevertheless, clearly opened the way for an appeal to the Supreme Court as the fifth lawsuit of the NAACP's national program.

The Supreme Court agreed to add *Brown v. Board of Education of Topeka* and the other four cases to its 1952-1953 docket. Before the cases were heard, however, the Topeka Board of Education voted not to defend the suit; elections in April 1951 had brought members onto the Board who had no interest in pursuing segregation as a policy. In response to this action by the School Board, though, the Supreme Court required the Kansas Attorney General to take part. The state's position was only to defend the right to permit segregation, not to enforce it. As a result, the Attorney General had no enthusiasm for the case and appointed a junior attorney, Paul E. Wilson, to represent Topeka. The Attorney General requested that the School Board prepare a legal brief, however, which the School Board's attorney did reluctantly. The principal line of defense was, therefore, to defend Kansas' law, which, among other things, permitted segregation in elementary school education, rather than to defend segregation itself. It was a difficult position to maintain, particularly for a young and inexperienced attorney.

Initial arguments for the five cases began on December 9, 1952, with different teams of attorneys for each case. This hearing concluded on December 11, 1952, and, at the end of the court's term in June 1953, the justices announced that it would defer action. Instead of ruling, the court requested that the opposing attorneys for each of the five cases prepare answers to five questions about the history and the original intent of the Fourteenth Amendment, particularly as it pertained to segregation in public schools. This was partly a stalling tactic given the deep divisions within the court and fears of reprisals that might result from a decision. The cases would be re-heard in the following term.

In early September 1953, before the start of the new Supreme Court term, Chief Justice Fred M. Vinson died of a heart attack. In his place, President Dwight D. Eisenhower appointed former California Governor Earl Warren on October 5, 1953 as a recess appointment; Congress confirmed his appointment in March 1954. The second round of hearings on *Brown v. Board of Education* began on December 7, 1953. Prior to the presentation of arguments, however, the Topeka Board of Education had voted to begin the process of integrating the city's elementary schools, rendering the Kansas portion of the Supreme Court case moot. Attorney Paul Wilson, representing the State of Kansas, still made a presentation, but debate over the Topeka case lasted less than an hour. Arguments for all five cases closed on December 9, 1953. Almost immediately, all the justices except one, Justice Stanley Reed, agreed that segregation could no longer be sustained on constitutional grounds. Justice Warren held discussions with Justice Reed in the spring of 1954 and convinced him to join the majority to issue a unanimous opinion. The opinion was issued on May 17, 1954. The decision was a victory for civil rights. The *Plessy v. Ferguson* decision in 1896 upheld the practice of segregation in the nation, but subsequent

decisions had already eroded that precedent. In the decision, the justices famously concluded “that in the field of public education the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.”

Coming to this decision was relatively quick and straightforward for the justices, but they all recognized that making such a strong and clear policy statement was not enough. Their chief concern about the decision was implementation: how the ideal would be put into practice in the nation’s distinct places and settings. As Richard Kluger described it, “Nothing could be worse for the Court than to issue a ringing declaration of human and civil rights and then throw up its hands and dump the entire problem into the laps of the rest of the nation.”²⁵ In announcing their decision in the spring of 1954, therefore, they announced also that they would take testimony and issue a separate ruling in the following term regarding implementation. In 1955, the Court finally issued its implementation order. In this announcement, unlike in their original decision, the Justices equivocated. The language in the implementation ruling softened and left a great deal of the responsibility for implementing integration to local school districts, who were urged to comply with the original 1954 ruling “with all deliberate speed.” This second ruling, as evidenced by the course of events in Farmville, Virginia, Little Rock, Arkansas, and elsewhere in the country, allowed even moderate communities the opportunity to delay and evade the inevitable.

Contested Legacy of *Brown v. Board of Education*

The issuance of the Supreme Court’s implementation ruling in 1955, dubbed “*Brown II*,” leads naturally to discussions of the impact of the first *Brown v. Board of Education* decision. Because the practice of segregated public schools was far from monolithic even in the seventeen states where it was permitted, it is difficult to generalize. Certainly, the process was easier and less contentious in some places than in others, and reactions to the decision by the proponents and opponents of school desegregation, whether swift or slow, were mixed. Many of both races found it a ground-breaking step in the right direction and one of the Supreme Court’s most important decisions, providing the basis for continuing improvement in conditions for African Americans. Others of both races found the decision deeply flawed: those who feared the social upheaval of rapid integration felt that the first *Brown* decision went too far, while those who favored immediate integration felt that *Brown II* was either a betrayal of the original decision or made it too easy for states and local boards of education to delay the process of integration.

Several straightforward points can be made, however. First, the Supreme Court clearly softened its stance in *Brown II* compared with the original ruling. The requirement for school districts to comply with school integration with “all deliberate speed” was far from the tone set in the original *Brown* decision. Detractors often refer to the “unfulfilled promises” of *Brown v. Board of Education*, many laying the blame on the Supreme Court in its second *Brown* decision. According to a 1994 article in the *Journal of Negro Education*, “*Brown II* neither mandated an immediate end nor set a timetable for eradicating school segregation.” Instead, the authors observed, the decision required school districts to make only “a prompt and reasonable start

²⁵ Kluger, *Simple Justice*, 675.

toward full compliance.”²⁶ In other words, the second decision required only a plan for integration rather than successful integration. Second, it is clear that opposition to the integration of schools as expressed in the original *Brown*, throughout the southern states in particular, was widespread and passionately held. In March 1956, for example, all but three Senators from southern states signed a manifesto, known as the Declaration of Constitutional Principles, pledging to use all lawful means to stop integration. This formal statement was part of a strategy identified as Massive Resistance. Senator Harry Byrd (D-VA) introduced the phrase in 1954: “If we can organize the Southern States for massive resistance to this order I think that, in time, the rest of the country will realize that racial integration is not going to be accepted in the South.” Urged by members of Congress and other political leaders in southern states, this was a strategy to stop integration of public schools through a variety of means including financial penalties on those school districts that proposed integration, creating school choice plans designed to maintain integrated schools, and using marginally legal means to intimidate African American families from sending their children to schools for whites.

The impact of the *Brown* decision on future civil rights laws is also contested. Many scholars and advocates for civil rights and social justice through the 1980s and beyond were pessimistic, citing the ongoing prevalence of racial discrimination throughout American society and continuing segregation in public schools. As Russo et al. point out, “In the decade following *Brown*, progress toward school desegregation proceeded with anything but ‘all deliberate speed.’ As of 1964, a mere 2.14% of African American children in 7 of the 11 southern states attended desegregated schools.”²⁷ Among those who focus on the “unfulfilled promises” of the original *Brown* decision and are pessimistic about its import, an approach known as the “backlash thesis” emerged. According to this view, it was the Massive Resistance movement, which devolved eventually into violence against African Americans and civil rights supporters, rather than the *Brown* decision itself, that led to the passage of such landmark laws as the Civil Rights Act of 1964 and the Voting Rights Act of 1965.²⁸

Other scholars and observers have been far more optimistic. Most of these *Brown* optimists hew closely to the fact that the Supreme Court set precedent with the original *Brown* decision, while merely acknowledging the unpleasant realities of the time with the second decision. This approach typically focuses on several factors. First, lower court cases as early as the late 1950s regularly cited the 1954 *Brown* decision. As V.P. Franklin observed in a 2005 article, between 1955 and 1960

one finds more and more African Americans challenging in the courts racially discriminatory practices in public accommodations, and when they won these cases against owners of hotels, restaurants, cemeteries, insurance agencies, and

²⁶ Charles J. Russo, J. John Harris III, and Rosetta F. Sandidge, “*Brown v. Board of Education* at 40: A Legal History of Equal Educational Opportunities in American Public Education,” *Journal of Negro Education* 63 (1994): 299.

²⁷ Russo et al., “*Brown v. Board of Education* at 40,” 300.

²⁸ The leading proponent of this approach to understanding the impact of *Brown v. Board of Education* is Michael J. Klarman; see “How *Brown* Changed Race Relations: The Backlash Thesis,” *The Journal of American History* (81: June 1994), 81-118. See also a summary of this approach in V.P. Franklin, “Introduction: *Brown v. Board of Education*—Fifty Years of Educational Change in the United States,” *The Journal of African American History* 90 (Winter 2005): 1-8; in this assessment more than a decade after Klarman’s seminal article, Franklin is critical of the backlash thesis.

other businesses serving ‘the public,’ the judges’ rulings often made specific references to the Supreme Court’s decision in the *Brown* case declaring ‘segregation’ unconstitutional.²⁹

Others who emphasize the positive aspects of *Brown v. Board of Education* refer to the series of Supreme Court decisions through the 1960s and early 1970s that cited the 1954 *Brown* decision while extending its provisions. Many school districts in states where segregation persisted sought a variety of means to maintain the racial status quo, and challenges to these methods rose through the court system to the Supreme Court by the early 1960s. Two cases that were decided in 1963—*Goss v. Board of Education of the City of Knoxville* and *McNeese v. Board of Education, Community Unit School District 187, Cahokia, Illinois*—declared unconstitutional different efforts to forestall integration. In *Griffin v. County School Board of Prince Edward County* (1964), and again in 1968 with a decision in the *Green v. County School Board of New Kent County* case, the Supreme Court ruled that “freedom of choice” plans which were enacted to close public schools while providing tuition grants for private schools, were likewise unconstitutional. The *Green* decision, in particular, marked a turning point, fourteen years after the original *Brown* decision,

as the Court decreed that in order for a district to meet its duty to end a segregated or dual system, it was required to do more than merely formulate a plan for doing so. Rather, such dual districts, the Court concluded, must take affirmative, realistic, and effective steps to convert promptly to desegregated or unitary status.³⁰

Some see this continuation of Supreme Court cases, striking down local practices that continued to forestall school integration, as evidence that the original *Brown* decision, weakened by *Brown II*, has not lived up to its promises. Others, however, see the original *Brown* decision as providing the legal foundation on which these subsequent decisions, and other civil rights gains, were based. Harvard Law Professor Mark Tushnet, for example, argued in 1994 that the *Brown* decision established a fundamental principle of constitutional law. “Before *Brown*,” he concluded, “no institution of the national government had endorsed its general principle, and such an endorsement allowed the principle to become more firmly embedded in the white political culture.” In his assessment of the significance of the *Brown* decision, Tushnet argued that “Government decisions relying on race (or relying on race to subordinate) rapidly became uncontroversially unconstitutional, and arguments that such decisions were acceptable rapidly became discredited.”³¹ The esteemed African American historian John Hope Franklin, whom Thurgood Marshall had persuaded to assist the LDF in preparing its historical assessment before the 1954 second hearing at the Supreme Court, was no less eloquent. Writing in 2004, Franklin recalled that

Although few people at the time saw the connection between the fight that Marshall led in 1954 and the fight that Martin Luther King, Jr. led a decade later, it takes only the slightest discernment to see the dots that connect them and to

²⁹ Franklin, “Introduction,” 4.

³⁰ Russo et al., “*Brown v. Board of Education* at 40,” 302.

³¹ Mark Tushnet, “The Significance of *Brown v. Board of Education*,” *Virginia Law Review* 80 (February 1994): 176-177.

appreciate both kinds of activism as contributing to the improvement of American society.³²

***Brown v. Board of Education* Legacy in Topeka**

The strategy of Massive Resistance never took hold in Topeka. Public schools in the city had never been completely segregated, as the practice affected only elementary schools. No laws barred African American students from attending integrated high schools in the city, and, as a result, many students of both races over the years had the opportunity to attend school together. Support for maintaining segregation by the late 1940s was far from monolithic, and with hardline school board members voted out in the early 1950s, the Board of Education began making plans for integrating the city's elementary schools even before the first *Brown v. Board of Education* decision was handed down, and all elementary schools in Topeka integrated in 1955. Moreover, both African American and white students at the time, when interviewed later, recalled no substantive racial incidents.³³

The shift toward greater integration in public schools, however, came at a cost. In particular, many of the formerly all-black neighborhood schools began losing attendance as students attended other schools. The Topeka School Board, rather than bringing white students to formerly African American schools, began plans for building new schools "and moving African American children into formerly white schools."³⁴ Attendance at all of the city's African American elementary schools began to decline through the late 1950s and 1960s, and many of them remained functionally segregated due to being neighborhood based. A 1973 study of Monroe Elementary School by the U.S. Department of Health, Education, and Welfare, for example, found that the school was not in compliance with the city's plan for integration, and Cheryl Brown Henderson, the youngest daughter of Oliver Brown and then a teacher at Monroe Elementary School, recalled that approximately ninety-five percent of the students were African American. In the wake of this report, and with declining enrollment at the school, what was by then the Topeka Unified School District 501 (USD-501) developed a plan to close Monroe Elementary School at the end of the 1974-1975 school year. According to a 1993 report, Brown Henderson recalled that this plan accomplished two goals: allowing redistribution of students to achieve a better racial balance and relieving the School Board of the cost of maintaining a school with declining enrollment.³⁵

The 1974 plan, however, failed to achieve racial balance, and many schools in the district remained "racially identifiable." In 1979 attorneys Richard Jones, Joseph Johnson and Charles Scott Jr., son of one of the original *Brown* attorneys, in association with Chris Hansen from the New York office of the American Civil Liberties Union, petitioned the federal court to reopen the original *Brown* case to determine if Topeka Public Schools had ever, in fact, complied with the U.S. Supreme Court ruling in 1954. The suit alleged that the School Board's policy of open enrollment, in which parents could send their children to the school of their choice rather than

³² John Hope Franklin, "To and From *Brown v. Board of Education*," *Washington History* 16 (Fall/Winter 2004/2005): 13.

³³ Sarah Heath, Monroe Elementary School, Written Historical and Descriptive Data, Historic American Building Survey HABS No. KS-67, 1993, page 23.

³⁴ Weekley, *A Long Pull*, 249.

³⁵ Heath, HABS report, 24.

attending their neighborhood school, allowed the parents of white children to functionally reestablish segregation. Their case is commonly known as *Brown III*. The principal plaintiff was Oliver Brown's daughter, Linda Brown Buckner, by then a parent herself. The case was first heard in U.S. District Court, which ruled against their petition. In 1989, however, the Tenth Circuit Court found that the Topeka School Board had not fully complied with the desegregation order from the first *Brown v. Board of Education* decision of 1954. The school board appealed to the Supreme Court which, in 1992, issued a final denial to hear the case; the Tenth Circuit Court's decision would stand. In response, USD-501 developed a plan that included three elementary magnet schools and redrawn district attendance plans which made extensive efforts to be racially balanced. By 1999, the U.S. District Court ruled that the Topeka School Board had met its requirement for integration.³⁶

Significantly for this study, one of the three new magnet schools built to comply with the federal desegregation order was located only two blocks north of the Brown v. Board of Education National Historic Site. The Williams Magnet School was built in 1996 and named in honor of Mamie Luella Williams (1894-1986), a well-known African American teacher in the Topeka Public School System from 1918 to 1960. Williams served as Principal of two of Topeka's segregated schools for African American children, Washington Elementary and Monroe Elementary. She remained active in civic life after her retirement in 1960, serving on the Kansas Commission on the Status of Women and the Senior Citizens Advisory Council for the Republican Party of Kansas, and was a delegate to the 1971 White House Conference on Aging; she also received an honorary doctorate in mathematics from Washburn University in 1982.³⁷ Another of the magnet schools created in response to the *Brown III* decision, the Scott Dual Language School, is named for *Brown v. Board* attorneys, who were brothers, John and Charles Scott. Following military service in World War II, both brothers completed law degrees at Washburn University in Topeka, Kansas, and joined the firm established by their father, Elisha Scott. John Scott had relocated to Washington, DC, in 1954, becoming Assistant Solicitor General of the U.S. Department of the Interior, where he retired in 1984. Following the *Brown* decision, Charles Scott, Sr. remained in Topeka in private practice. The third magnet school created in response to the *Brown III* decision is named for Dr. Kay Meadows, the first black woman to serve as the president of the Topeka Board of Education.³⁸

U.S. Constitution National Historic Landmark Theme Study

Brown v. Board of Education was an immensely important Supreme Court decision that established precedent for the interpretation of the Fourteenth Amendment of the Constitution of the United States. For three decades after the decision was handed down, however, its importance was recognized largely through subsequent decisions in the Supreme Court and in lower courts. The civil rights movement that emerged in the mid-1950s grew into a powerful

³⁶ Cheryl Brown Henderson, "The Untold Stories Behind Brown v. Board: 65 Years Later, Remembering the Five Unique Lawsuits and Communities That Joined Forces To Persuade The Supreme Court," May 14, 2019; published online at <https://www.the74million.org/article/the-untold-stories-behind-brown-v-board-65-years-later-remembering-the-five-unique-lawsuits-and-communities-that-joined-forces-to-persuade-the-supreme-court/> (accessed May 20, 2020). The District Court's 1999 ruling can be found online at <https://law.justia.com/cases/federal/district-courts/FSupp2/56/1212/2449313/> (viewed May 30, 2020).

³⁷ Biographical information for Mamie Williams found at https://www.communityvoiceks.com/williams-magnet-school-s-namesake-subject-of-1976-tv-special/article_6f0db9c0-cde5-11e5-8b68-af4943e5a9d9.html.

³⁸ Brown Henderson, 2022.

cultural and political force by the 1960s, with stunning gains in legislation and more widespread acceptance of racial equality. However, it came at the cost of violence against protestors and the murders of civil rights leaders, most notably the assassination of Martin Luther King, Jr. in Memphis, Tennessee, in 1968. The civil rights movement was a continuation of a much longer struggle for justice on the part of African Americans that stretched back to the early twentieth century. It clearly gained new impetus when the Supreme Court declared unanimously and unequivocally that segregation had no place in public education and, by extension, in society at large. The importance of *Brown v. Board of Education* was long recognized for its significance within the recent history of the civil rights movement, becoming a standard part of college history curricula by the early 1980s. Its role in the constitutional history of the United States, however, has been less fully developed.

In March 1984, in anticipation of the 200th anniversary of the Constitution in 1987, Supreme Court Chief Justice Warren Burger convened a meeting with NPS Chief Historian Edwin Bearss and Howard Westwood, the long-time attorney in Washington, DC, who pioneered the development of legal aid and neighborhood legal services in the District of Columbia in the 1950s. The purpose of the meeting was to initiate plans for a study to identify sites associated with the Supreme Court's most important decisions impacting interpretation of the Constitution, and with key people important in the history of the Constitution. A subsequent meeting later that month involved several other scholars of American constitutional history. The result of this second meeting was to recommend that William H. Allen, a long-time attorney and law professor, and a former Chief Clerk to Supreme Court Chief Justice Earl Warren, prepare a list of Supreme Court cases to be considered in the study.³⁹

Working through late 1984, Allen developed a set of seven criteria for cases to be included in the study, which he delivered in January 1985 together with a selection of 123 cases. In August 1985, Bearss assigned NPS Staff Historian Dr. Harry Butowsky to prepare the National Historic Landmark Theme Study that included a consideration of all 123 of the cases that Allen recommended (Figure 3). Butowsky conducted an extensive study of places associated with these cases, together with places associated with signers of the Constitution and places associated with additional Supreme Court cases that were also historically significant. Butowsky found that 165 existing National Historic Landmarks and units of the National Park System already illustrated historical aspects of the Constitution. For the remaining Supreme Court cases and people, Butowsky conducted a thorough search for associated places, often finding either no remaining property, no conclusive evidence of a surviving property, or remaining properties that were not sufficiently associated with a specific case. In his study, Butowsky also identified sites that were important in constitutional history generally but were not part of a particular case, such as the First and Second Banks of the United States in Philadelphia, Pennsylvania, and the Supreme Court Building in Washington, DC.

³⁹ Harry Butowsky, "Introductory Essay," *The U.S. Constitution: A National Historic Landmark Theme Study* (National Park Service, Washington, DC, 1986), 1-10.



Figure 3. Harry Butowsky, 2020. Photograph by Deborah Harvey.

In addition to compiling the list of places associated with the Constitution generally and the Supreme Court particularly, Butowsky identified five properties that represented particularly important developments in the history of the Constitution that had not previously been identified either as National Historic Landmarks or National Park System units. For each of these five places, Butowsky prepared a National Historic Landmark nomination form. These five properties were the Supreme Court Building, Washington, DC; the First Bank of the United States, Philadelphia, Pennsylvania; the Second Bank of the United States, Philadelphia, Pennsylvania; the Pittsylvania County Courthouse, Chatham, Virginia; and Sumner Elementary School, Topeka, Kansas (Figure 4).

In his comprehensive study, Butowsky identified potential sites associated with each article of the Constitution and with each Amendment. Butowsky included recent cases in his review of the Constitution's articles and amendments, but he recommended that nearly all sites associated with cases brought since the 1950s were "too recent to determine national significance." The one exception was the *Brown v. Board of Education* decision. Butowsky identified two potential sites associated with the decision: Oliver Brown's house on West First Street in Topeka, Kansas, which had already been demolished, and Sumner Elementary School on Western Avenue in Topeka. Butowsky recalled facing opposition to including sites associated with the *Brown* decision on the grounds that the case was too recent, and, thus, the period of significance would be far less than the fifty years that serve as the typical guideline. As he described his discussions,

at that time, it [the *Brown* decision] was only thirty years old. Don't forget, this was 1986, and they said, "No, you can't – wait, you can't do that. You have to wait until fifty years to determine national significance. Well, that's – and I looked at [Historian] Ben Levy, and I looked at Ed Bearss, and I said, "You gotta be nuts!" I said, "This is a – this is a case

that's nationally significant now! There's no doubt about it, so, I want to do *Brown v. Board of Ed.*”⁴⁰



Figure 4. Sumner Elementary School, 2019. Photograph by the author.

Butowsky successfully argued his case and continued to work on the National Historic Landmark nomination for Sumner Elementary School. At the time that Butowsky prepared the nomination, Sumner Elementary School remained a functioning school. The school building, he noted, had been maintained regularly; none of the changes detracted from the historic integrity of the building, and it remained largely as it was in 1954. In his summary, Butowsky claimed that the *Brown* decision was “momentous.” He continued by arguing that:

The social and ideological impact of the case can not be overstated. The decision was unanimous with only a single opinion of the Court. The issue of the legal separation of the races was settled. Segregation was a violation of the Fourteenth Amendment of the Constitution and was unconstitutional.

⁴⁰ Harry Butowsky, oral history interview, March 16, 2020.

Sumner Elementary School, he concluded, “symbolizes the harsh reality of descrimination [sic] permitted by the *Plessy* decision in 1896 and the promise of equality embodied in the Fourteenth Amendment to the Constitution that was realized after 1954.”⁴¹

Butowsky selected Sumner Elementary School to represent the *Brown* decision as the school to which Oliver Brown was denied the right to enroll his daughter Linda on the basis of their race. The elementary schools in Topeka that had been set aside for African Americans, however, were not considered for inclusion in the National Historic Landmark Theme Study. The omission of the former Monroe Elementary School, which Oliver Brown’s daughter attended instead of Sumner, was a particularly glaring one, explained in part by the fact that it was no longer a functioning school and was then in private hands. Three of the elementary schools formerly reserved for African American children remained at the time. Threats to the survival of Monroe Elementary School just four years later, however, drew attention to Topeka’s role in the constitutional history of the United States.

⁴¹ Harry Butowsky, Sumner Elementary School, National Historic Landmark nomination, 1986, incorporated in Butowsky, *Theme Study*.

Chapter 2: Legislative History

The Topeka School Board closed Monroe Elementary School in 1975, after nearly five decades of service. More than just a school, Monroe Elementary served as a community center for the surrounding, predominantly African American neighborhood (Figure 5). Student enrollment had been in decline for several years before it was closed, but the building remained vital to the community and was a source of pride; its closure created a gap. Although the school's role as a local center of education and community sustenance ended in 1975, its role in the nation's history and conscience did not end. Monroe Elementary School, where three generations of African American children in Topeka gained a top-flight education, remains a potent symbol of how far the nation had fallen from its professed ideals. It is also a symbol of the determination of African Americans generally, and those in Topeka particularly, to persevere in the quest to secure their rights as guaranteed in the Constitution. Established by Congress in 1992, the Brown v. Board of Education National Historic Site was the first unit of the National Park System to interpret a Supreme Court case as an aspect of constitutional history and was part of a wave of new units interpreting topics that challenge the nation's conscience.



Figure 5. Monroe Elementary School, looking north, 2021. Photograph by the author.

Monroe Elementary School closed in 1975, but the school board retained the building for use as a warehouse through 1980. By the late 1970s, the City of Topeka had rezoned the surrounding neighborhood to light industrial/commercial use, altering the character of the school's surroundings as new commercial warehouses and businesses replaced some housing. The school board sold the school in 1980 to a private individual, Richard Applehans, but his plans for development of the building and site fell through. Applehans then sold the building in 1982 to the Church of the Nazarene, which occupied the building until 1988. The church renovated the interior and used the building for church services and for its humanitarian programs including a dental clinic and clothing pantry.

In 1988, the Church of the Nazarene sold the school to S/S Builders, which was owned by Mark A. Steuve. Steuve, who was unaware of the building's history when he bought it, used it for storing construction materials and equipment for his contracting business.⁴² Steuve conducted basic maintenance and repairs to the building to keep it safe from the elements and repaired the stone entrance when it showed signs of collapse. While replacing the electrical wiring, Steuve's work crews removed most of the interior walls on the second floor. He also allowed a local community group to operate a childcare center in the building. In 1989, however, staff from the community childcare center accidentally lit a small fire in one of the rooms, which caused some charring and smoke damage. Steuve later noted that the damage was cosmetic only, and he was able to repair it quickly, but he stopped allowing the childcare center in the building.⁴³ By 1990, however, with a downturn in his business and a recent divorce, Steuve no longer needed to use the building for storage and decided to sell it by holding a public auction.

The Brown Foundation for Educational Equity, Excellence and Research

Oliver Brown died in 1962 at age forty-one, leaving behind his wife and three daughters. The middle daughter, now Cheryl Brown Henderson, received her bachelor's degree in elementary education and, by the early 1970s, was a sixth-grade teacher at Monroe Elementary School in Topeka, Kansas. In April 1988, Brown Henderson and her family along with other members of the community began discussing ways of forming a "living memorial, i.e. tribute," to the attorneys and plaintiffs in the *Brown* case (Figure 6). Their initial goal was to create a Brown Scholarship, but their plans soon turned toward creating a foundation "that would continue the work in educational equity" begun with the *Brown* decision.⁴⁴ As Brown Henderson recalled later,

In January of 1988, I sat visiting with a young man new to the Topeka community. His name was Jerry Jones and he would have an unparalleled effect on my life and the lives of my family. As he and I prepared to attend one of the many observances of the birthday of Dr. Martin Luther King, Jr., Jerry asked a seemingly innocent question. What is being done to commemorate the anniversary of *Brown v. The Board of Education*? My response of "not much" both shocked and challenged him.⁴⁵

In an oral history interview in 2020, Brown Henderson recalled that Jones "was surprised to learn that Topeka did not recognize or commemorate this historic milestone and pointedly said If *Brown v. Board* is not being recognized in Topeka, 'Isn't that your responsibility?' His words became the catalyst."⁴⁶ Over the next several months, Brown Henderson, Jones, and others held discussions that revealed a lack of widely disseminated accurate information about the *Brown v. Board of Education* decision, both nationally and in Topeka. To remedy this situation, the Brown Foundation was incorporated on October 24, 1988. Established in Topeka and now based in Florida, the Brown Foundation is a non-profit organization focused on education, with the intent

⁴² Weekley, *A Long Pull*, 251.

⁴³ Trip Report, Staff Historian Harry Butowsky to Chief Historian Edwin Bearss, December 3, 1990; personal collection of Harry Butowsky provided to the author.

⁴⁴ "Position Paper: Brown vs The Board of Education Management Alternative," June 25, 1991; typescript MS in files of Brown v. Board of Education NHS, D18.

⁴⁵ Cheryl Brown Henderson, "Brown Foundation Story," published on the Brown Foundation website, <http://brownvboard.org/content/brown-foundation-story> (accessed May 22, 2020).

⁴⁶ Cheryl Brown Henderson, oral history interview, April 2, 2020.



Figure 6. Cheryl Brown Henderson (L) and Linda Brown Buckner (R), c. 1993. Photograph in files of *Brown v. Board of Education* NHP.

of continuing the original cause of the *Brown v. Board of Education* decision to support educational excellence to those of all races.

Brown Henderson and the Brown Foundation quickly positioned themselves as the principal source of information and interpretation about the *Brown* decision. In 1991, they billed themselves as “the sole non-federal agency providing primary source material about the decision to researchers, educators, attorneys, museums, and the media.”⁴⁷ Almost immediately after being founded, the Brown Foundation began an ambitious educational outreach program. One of the initial programs was to provide scholarships to students of color who were planning on careers in education. The first scholarship was awarded in 1989, and additional scholarship programs were added over the years. In addition, the Brown Foundation has actively supported a broader understanding of the *Brown* decision in its wider context, including its roots in Topeka and its connection with the four other cases that were consolidated under its heading. The Brown Foundation also began discussions with Washburn University School of Law in Topeka regarding the creation of an archive of materials pertaining to the original Topeka case and to the final Supreme Court case. In 1989 also, the Brown Foundation Board began developing a traveling exhibit in coordination with the Kansas Humanities Council, and, in 1990, it sponsored its first National Symposium on education and civil rights with several community co-sponsors

⁴⁷ Brown Foundation, “Position Paper,” 2.

including the Kansas Commission on Civil Rights, Washburn University, and Kansas State University.⁴⁸

Cheryl Brown Henderson began to express concerns about the protection of Monroe Elementary School within months after creating the Brown Foundation, and she quickly gained the attention of the Kansas Congressional delegation on this issue. She began writing to African American philanthropists in hopes of raising funds to purchase the building. When letters proved unsuccessful, she began writing to the Kansas Congressional delegation regarding assistance with preserving the building based on its association with the landmark U.S. Supreme Court decision.⁴⁹ In December 1988, she wrote to Senator Nancy Kassebaum (R-KS) regarding the possibility of the school being acquired by the National Park Service. She identified the significance of Sumner and Monroe Elementary Schools for their significance to the *Brown* case specifically and to Kansas' role in American history generally. Noting that Sumner School remained in active use, Brown Henderson's concern was for Monroe School, by then in private hands. Having Monroe Elementary School in federal hands, she suggested, would not only protect the school for its connections to the *Brown* decision, but could serve to educate the public about the role of the case in the desegregation of public schools: "This building can be used as a location to preserve the history of the minority population of Kansas and most specifically as a facility to house the archives of the 'Brown case,'" she said. Such an archive, she argued, "would provide historians and researchers with a central location for the study of the events, the locations and the people who were the players in the scenario that resulted in the Supreme Court rendering one of a few unanimous decisions."⁵⁰

Kassebaum forwarded the letter to NPS, and, in early February 1989, Associate Director for Cultural Resources Jerry L. Rogers replied to Brown Henderson. Rogers pointed out that Sumner School had recently been listed as an NHL for its association with the *Brown* decision. As for Monroe School, however, Rogers did not "believe it is feasible or prudent for the National Park Service to undertake the administration as a National Historic Site when the Sumner Elementary School has been recognized as the significant property associated with the facts of this case."⁵¹ With no direct threat to Monroe Elementary School at the time, Brown Henderson had little cause to pursue the matter. Despite this negative response, the Brown Foundation continued its program to increase recognition of the *Brown* decision in Topeka and throughout Kansas. In May 1989, on the thirty-fifth anniversary of the decision, the Brown Foundation sponsored a commemorative ceremony at Sumner Elementary School. The event featured George L. Vaughn, immediate past president of the National Caucus of Black School Board Members and a member of the Detroit, Michigan, School Board as keynote speaker. Mrs. Patti Hayden, wife of Kansas Governor Mike Hayden, attended the event. The event also served as a commemoration of the designation of Sumner School as a National Historic Landmark and included the closing of a time capsule containing statements from Sumner's 260 students and

⁴⁸ Minutes from the Board of Directors meetings of the Brown Foundation provide extensive information about active and proposed programs, and are archived as part of the Brown Foundation Papers, Kenneth Spencer Research Library, Kansas University, Lawrence, Kansas.

⁴⁹ Brown Henderson, 2022.

⁵⁰ Cheryl Brown Henderson to Senator Nancy Kassebaum, December 19, 1988; personal collection of Harry Butowsky provided to the author. See also Cheryl Brown Henderson, oral history interview.

⁵¹ Jerry L. Rogers to Cheryl Brown Henderson, February 7, 1989; personal collection of Harry Butowsky provided to the author.

other memorabilia.⁵² At the same time, on May 7, 1989, the Brown Foundation, with support from the Topeka business community, sponsored the first of dozens of community events to commemorate the anniversaries of the *Brown* decision. On that Sunday in May, the Foundation sponsored a reception that featured civil rights icon Rosa Parks. Over the years, Mrs. Parks would participate in three of the Brown Foundation's programs (Figure 7).⁵³



Figure 7. Rosa Parks speaking at the Brown Foundation's first annual commemoration of the *Brown* decision, May 7, 1989. Photograph courtesy of the Brown Foundation for Educational Equity, Excellence and Research.

Saving Monroe Elementary School

In July 1990, Brown Foundation board member Jerry Jones noticed a sign at the Monroe School property announcing the coming auction, initially scheduled for July 24. Brown Henderson quickly contacted the building's owner, Mark Steuve, and explained to him its significance. Steuve agreed to delay the sale for a few weeks to allow the Brown Foundation time to either locate a buyer or to raise the funds to buy the school themselves (Figure 8). As Brown Henderson recalled, she and Jerry Jones "wrote letters to various philanthropists asking for their help. We received only one courtesy reply but no takers. At our next brainstorming session, we decided that, since this was U.S. history, we should contact our congressional representatives."⁵⁴ As a result, Brown Henderson wrote to Representative Daniel R. Glickman (D-KS) for assistance in making connections that might allow the Brown Foundation to save the school. While acknowledging that the school would need some repairs, Brown Henderson suggested potential uses for the building, including hosting youth programs,

⁵² Press Release, May 15, 1989; personal collection of Harry Butowsky provided to the author.

⁵³ Brown Henderson, 2022.

⁵⁴ Brown Henderson, oral history interview, written addendum, September 2, 2020.

space for exhibits on African American history, a public health clinic, community meeting space, or office space for community-based organizations. Given other contemporary efforts to preserve sites that pertained to African American history and the civil rights movement, she argued, “it should not be too much to ask for Kansas to preserve a building that played a part in the nation’s history.”⁵⁵ Glickman immediately put Brown Henderson in touch with Robert A. DeForrest, president of the Afro-American Institute for Historic Preservation and Community Development (Afro-American Institute).⁵⁶



Figure 8. Jerry Jones, Cheryl Brown Henderson, Mark Steuve (L-R), 1996. Photograph in files of Brown v. Board of Education NHP.

DeForrest proved to be a key player in the protection of Monroe Elementary School and its designation as a National Historic Site. Together with his brother, Vincent DeForest (they spelled their last names differently), Robert DeForrest had founded the Afro-American Institute in 1970 for the purpose of identifying and protecting sites associated with the history of African Americans. The Afro-American Institute was very well-connected with the federal government, having worked extensively with the Department of the Interior and the Department of Housing and Urban Development. One of their early successes was the designation in 1978 of the Maggie L. Walker National Historic Site in Richmond, Virginia, the first unit of the National Park System to represent an African American woman. In the summer of 1990, DeForrest was in communication with NPS regarding the possibility of locating a document repository for the Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER)

⁵⁵ Cheryl Brown Henderson to Congressman Dan Glickman, July 26, 1990; personal collection of Harry Butowsky provided to the author.

⁵⁶ Ibid.

program at Howard University, a historic African American university in Washington, DC. In the conclusion of a letter to NPS Senior Historian Benjamin Levy on August 17, 1990, DeForrest included a brief mention of the pending auction of Monroe School, adding that “prompt action will be required by all of us to save this site for possible inclusion in any proposed National Historical Park.”⁵⁷

At the same time, DeForrest contacted other NPS staff specifically about Monroe Elementary School, including Associate Director for Cultural Resources Jerry Rogers and Staff Historian Harry Butowsky, together with Robert D. Bush, Executive Director of the Advisory Council on Historic Preservation and a member of Senator Kassebaum’s staff. In a letter to Representative Glickman, DeForrest argued that Monroe Elementary School should have been included in the 1986 NHL designation of Sumner Elementary School and that pursuing an NHL designation for Monroe Elementary School would be an important first step. He told Glickman that having the support of the Kansas Congressional delegation in urging NPS to investigate the NHL status of the school would be crucial. DeForrest also contacted Mark Steuve, the building’s owner, who agreed to work with the Brown Foundation as they sought ways to protect it.⁵⁸

Cheryl Brown Henderson traveled to Washington, DC in September 1990 to meet with NPS officials, the Kansas Congressional Delegation, and Robert DeForrest. She made two key connections on this trip, one of which was NPS Historian Harry Butowsky, who had written the National Historic Landmark nomination for the Sumner School. As Butowsky recalled, he met Brown Henderson at the suggestion of DeForrest, a colleague and friend:

So, I went down, and we went to a local hotel, and I met Cheryl. And I’m listening to Cheryl, and I’m thinking, “She’s right! I only got half the story. I only got the one school. I didn’t get the black school.” After talking to Bob DeForrest, I agreed to look at the documentation again and examine the Monroe School.⁵⁹

Also, during her trip to Washington, and as a result of her meeting with NPS, Brown Henderson made contact with staff at the Trust for Public Land (TPL). A non-profit created in 1972 by a group of lawyers, real estate professionals, and finance experts formerly associated with The Nature Conservancy, the TPL works with local organizations to help protect historic places, initially by supporting local land trust organizations who endeavored to protect open spaces. The organization quickly developed what had become one of its core programs: purchasing land targeted for development and holding it until it could be transferred for public use with suitable protective easements in place. In the autumn of 1990, when Brown Henderson contacted TPL’s Midwest office in Minneapolis regarding Monroe School, TPL was preparing to transfer land to NPS following establishment of Weir Farm National Historic Site, Connecticut, the former farm property of American Impressionist painter J. Alden Weir. Trust for Public Land staff began negotiating with Mark Steuve to secure an option on the building and provided funds

⁵⁷ Robert DeForrest to Benjamin Levy, August 17, 1990; personal collection of Harry Butowsky provided to the author.

⁵⁸ DeForrest to Glickman, August 24, 1990; personal collection of Harry Butowsky provided to the author.

⁵⁹ Butowsky, oral history interview.

for a real estate assessment and to help Steuve meet his ongoing operating costs for the building.⁶⁰

With the building temporarily safe from sale and potential demolition, Brown Henderson's attention returned to NPS, and in the winter of 1990 she met with a group of Topeka plaintiffs in the *Brown* decision to discuss the possibilities for national recognition of the school in relation to the decision (Figure 9). In September 1990, Representative Glickman and Senators Kassebaum and Robert Dole (R-KS) wrote letters to NPS in support of designating Monroe Elementary School a National Historic Landmark. In separate responses, Deputy Assistant Secretary for Fish and Wildlife and Parks S. Scott Sewell announced that Staff Historian Butowsky would return to Topeka in 1991 to evaluate Monroe Elementary School for possible designation as a National Historic Landmark, in coordination with the Kansas State Historic Preservation Officer (SHPO). Rather than wait until 1991, however, Butowsky traveled to Topeka in November 1990. While there, he met first with SHPO staff, who had little information to share and were uncertain that the building merited designation as a National Historic Landmark. He followed this meeting with an extensive discussion with Cheryl Brown Henderson. He conducted a close examination of Monroe School with Mark Steuve, who told Butowsky that he would support the school's designation as a National Historic Landmark. Butowsky conducted a public meeting to explain the process and received strong support with one exception, a representative of Historic Topeka who expressed concern about designating the school for an event that was less than fifty years old and claimed, without evidence, that the designation did not have the full support of the city's African American community.⁶¹

Based on his visit, Butowsky recommended to the Chief Historian that Monroe Elementary School be added to the existing Sumner Elementary School NHL designation. While not unprecedented, it was unusual to amend an NHL nomination by adding a second site in a remote location. Butowsky recalls addressing this question in discussions with NPS colleagues: "But, you know, I made a mistake. I missed half – I missed half the site. . . And I didn't want to take out the Sumner School. I said, 'We have two sites. And I just missed – I just missed one site.'"⁶² In late December 1990, Chief Historian Edwin C. Bearss approved Butowsky's recommendation and instructed him to go forward with revising the existing NHL nomination to include Monroe Elementary as a contributing element, for submittal to the National Park System Advisory Board for their Fall 1991 meeting.⁶³ Later, in July 1991, Butowsky completed the expanded NHL nomination that included Monroe Elementary, which NPS released for public comment. The addition of Monroe Elementary School to the existing NHL designation was widely endorsed, with letters from the Mayor of Topeka, the Topeka Board of Education, Washburn University, the City of Topeka, the Kansas SHPO, Senators Dole and Kassebaum, Representative Glickman, and Mark Steuve along with the Brown Foundation and other community organizations sent to the NPS Advisory Board in support of the nomination. Brown

⁶⁰ Anne Elizabeth Powell, "Unfinished Business," *Historic Preservation* (May/June 1994), 101; clipping in personal collection of Harry Butowsky provided to the author.

⁶¹ Memorandum, Staff Historian Butowsky to Chief Historian, December 3, 1990; personal collection of Harry Butowsky provided to the author.

⁶² Butowsky, oral history interview.

⁶³ Memorandum, Chief Historian Edwin C. Bearss to Associate Director for Cultural Resource, December 28, 1990; personal collection of Harry Butowsky provided to the author.

Henderson also attended a meeting of the National Park System Advisory Board in Estes Park, Colorado, to respond to questions; the Advisory Board formally recommended the enlarged NHL designation at its meeting on October 6, 1991, which Interior Secretary Manuel Lujan approved on November 6, 1991.⁶⁴



Figure 9. Topeka plaintiffs (L-R) Carol Kay Nutter, Leola Brown Montgomery, Linda Brown Thompson, Victoria Lawton Benson, Ruth Ann Scales Everett, Vivian Scales, Lena Carpenter, and Zelma Henderson, 1990. Photograph courtesy of the Brown Foundation for Educational Equity, Excellence and Research.

Building Support for a National Historic Site

At the same time as Butowsky was preparing the revised NHL nomination, NPS agreed to a request from the Kansas Congressional delegation to conduct a management options study of sites associated with the *Brown* decision. Cheryl Brown Henderson met with Deputy Secretary of the Interior Frank Bracken and NPS Director James Ridenour in February 1991 to discuss ways of protecting the sites associated with the *Brown* decision.⁶⁵ In late March 1991, NPS field staff

⁶⁴ Letters of endorsement, and Secretary Lujan's approval of the National Park System Advisory Board's recommendation, are included in the personal collection of Harry Butowsky provided to the author. Information on Brown Henderson's participation in the National Park System Advisory Board's meeting in Brown Henderson, 2022.

⁶⁵ Cheryl Brown Henderson to Frank Bracken, February 14, 1991; Dole and Kassebaum to James Ridenour, February 21, 1991; files of *Brown v. Board of Education* NHS, D18.

made an initial visit to Topeka, and a Task Directive for a Management Alternatives study was completed in early July 1991. Homestead National Monument of America Superintendent Randall Baynes was appointed to lead the study team.⁶⁶ The team conducted a site visit to Topeka in late June 1991, holding public meetings and touring the surrounding neighborhood and sites in Topeka. The Kansas State Historical Society, serving as the Kansas SHPO, actively supported the work of the study team and provided an extensive study report of the building completed by two members of the Historic Preservation Department. While noting that the building, particularly portions of the interior, had been altered, the SHPO team concluded that the building was in generally good condition and had retained a substantial amount of integrity of original materials.⁶⁷

In preparation for the work of the study team and the preparation of a report on management alternatives for the site, the Brown Foundation, in late June 1991, prepared a position paper. The Brown Foundation envisioned a cooperative effort among itself, NPS, the Kansas State Historical Society, the Topeka City Council, and the Topeka Board of Education. According to their position paper, the Brown Foundation would serve as the coordinating body and would be responsible for developing and presenting interpretive programs and for conducting outreach efforts to agencies, groups, and individuals, while NPS would be responsible for preservation, and for technical assistance with interpretation including exhibit planning and visitor use.⁶⁸

Following the visit to Topeka in June 1991, the study team prepared a draft Management Alternatives Study in the fall of 1991. In its assessment of the possible management options for Monroe Elementary School, the study team included an awareness of other sites and locations in Topeka also associated with the *Brown* decision. These other sites were: the original U.S. District Court House where the initial trial proceedings were held; St. John AME Zion Church, where Oliver Brown served as associate pastor; the house of Lucinda Todd, the secretary of the local NAACP chapter who made the connection between the local plaintiffs and the NAACP's headquarters; the NAACP offices; the Kansas State Capitol; Washburn University; and Sumner Elementary School. After providing a historical overview of the *Brown* case and the history of African Americans in Kansas, the draft outlined the criteria that must be met for a site to be included in the National Park System: national significance, representation of a theme not already adequately represented within the National Park System, and sufficient size and capacity to allow public use.

Both Sumner and Monroe Elementary Schools had already been designated National Historic Landmarks, establishing the sites' national significance. In their assessment, the study team members noted that, in both the Constitutional Law Theme Study completed by Harry Butowsky in 1986 and in the 1987 NPS publication *History and Prehistory on the National Park System and the National Historic Landmark Program*, sites that interpret the Constitution and the court system were substantially under-represented. At the time, no units of the National Park System interpreted themes of Constitutional law or the court system, and only three units

⁶⁶ James M. Ridenour to Senator Bob Dole, April 17, 1991; files of *Brown v. Board of Education* NHS, D18.

⁶⁷ Property Inspection Report, August 1, 1991, faxed to Randy Baynes, NPS-Homestead, August 12, 1991; files of *Brown v. Board of Education* NHS, D18.

⁶⁸ Brown Foundation, "Position Paper."

interpreted the civil rights movement theme: Frederick Douglass National Historic Site, District of Columbia; Martin Luther King, Jr. National Historic Site, Georgia; and Mary McLeod Bethune Council House National Historic Site, District of Columbia. As the report concluded,

The Topeka sites depict a significant historic theme which is not adequately represented elsewhere in the National Park or the National Historic Landmark Systems. No NPS units and only two NHLs today serve to commemorate a significant United States Supreme Court decision—let alone one of the magnitude of *Brown v. Board of Education*.⁶⁹

In early 1991, the study team identified four management alternatives for protecting Topeka's sites and providing for their interpretation. In addition to the standard baseline "No Action" alternative, Alternative A, in which there would be no changes to the status quo, the study team proposed Alternative B, creating a *Brown v. Board of Education* National Historic Site at Monroe Elementary School, Alternative C, management of the Topeka sites by the Brown Foundation, and Alternative D, management of the Topeka sites through a multi-agency coalition. For this fourth alternative, the study team examined three possible approaches: a coalition of private entities only, an NPS affiliated area, and a federal commission that likely would include NPS as the Lead Federal Agency. The third and fourth options allowed a greater degree of local control over the sites and their interpretation, with varying input from the federal government, and the second option would require NPS to oversee the management, operation, and interpretation of the site. As a management-alternatives study only, however, the study team's report included no recommendations and did not identify a preferred alternative.

The study team provided a draft report in the fall of 1991 for NPS internal review and for review by the public, primarily in Topeka. Following revisions in the winter of 1992, NPS released the Management Alternatives study in March 1992. Although it contained no recommendations, it provided the formal basis for legislation. As early as February of 1991, however, while Harry Butowsky was preparing the revised National Historic Landmark nomination, the Brown Foundation, in consultation with the Kansas Congressional delegation, began developing proposed legislation. A year later, in February 1992, while the management alternatives study team was being assembled, Cheryl Brown Henderson reported to the Brown Foundation board that legislation was then being drafted. Underpinning their approach to the legislation was the management alternatives study. When the study is released, the board reported, "we will prefer to have the Brown Foundation designated as the managing entity of Monroe School on behalf of the Federal government."⁷⁰ In addition, Brown Henderson provided tours of Monroe Elementary School to Senator Dole, U.S. Representative John Lewis (D-MD), and Assistant Secretary of the Interior for Fish, Wildlife and Parks Mike Hayden, all of whom visited Topeka to see the site at different times before any legislation was introduced.⁷¹

⁶⁹ *Brown v. Board of Education of Topeka, Sumner and Monroe Elementary Schools: Management Alternatives Study and Environmental Assessment* (National Park Service Midwest Region, March 1992), 24-25.

⁷⁰ Minutes, Brown Foundation Board of Directors Meeting, February 22, 1992; Brown Foundation Papers, RHMS 1449, Box 1, Folder 36, Kenneth Spencer Research Library, Kansas University, Lawrence, Kansas. See also Minutes for February 23, 1991.

⁷¹ Brown Henderson, 2022.

With the completion of the Management Alternatives Study in the spring of 1992, Kansas' Congressional delegation began preparing legislation. The National Park Service quickly settled upon creating the Brown v. Board of Education National Historic Site, using Monroe Elementary School as the location for the new park's administrative headquarters and visitor orientation. Bills were introduced concurrently in the House of Representatives and the Senate on June 24, 1992: Senator Dole introduced S. 2890, with Senator Kassebaum as co-sponsor, while Representative Jim Slattery (D-KS) introduced H.R. 5484 with three co-sponsors: Representatives Dan Glickman, Jan Meyers (R-KS), and John Lewis (D-GA). Both bills initially used a longer title: Civil Rights in Education: Brown v. Board of Education National Historic Site Act of 1992.

In the House of Representatives, the bill was referred directly to the House Committee on Interior and Insular Affairs, and in July was referred again to the House Subcommittee on National Parks and Public Lands. This subcommittee held hearings on the bill on September 25, 1992; following the hearings, the subcommittee marked up the bill and returned it as amended to the Committee on Interior and Insular Affairs. In addition, the House added other NPS-related issues to the bill, including establishing the Dry Tortugas National Park, making slight adjustments to the National Park System Advisory Committee, adding a segment of the New River in Virginia and West Virginia to the National Wild and Scenic River System, and authorizing the Boston Harbor Islands Study. The committee then reported the bill to the full House on October 6, 1992, and the amended bill was placed on the Union Calendar for bills involving public funds. On October 8, 1992, it was joined with the matching bill in the Senate.

Senator Kassebaum co-sponsored Senator Dole's bill, S. 2890, on June 24, 1992, which was referred to the Senate Committee on Energy and Natural Resources, then immediately to the Senate Subcommittee on Public Lands and National Parks. In late July 1992, the Senate Committee on Energy and Natural Resources requested executive comment from the Department of the Interior and the Office of Management and Budget. The subcommittee held hearings on the bill in early August 1992, featuring testimony from Senator Dole, Cheryl Brown Henderson, and NPS Assistant Director for Cultural Resources Jerry Rogers. Rogers, on behalf of NPS, recommended passage of the bill. Rogers summarized for the subcommittee the history of the *Brown* decision and the progress of commemorating the decision since designating Sumner Elementary School as a National Historic Landmark in 1987. Passing over his initial rejection of Monroe Elementary School as a potential National Historic Site in 1989, Rogers pointed out that Secretary of the Interior Lujan designated the school a National Historic Landmark in 1991. Although the Management Alternatives study had included four possible options, he told the Senate subcommittee that NPS was now prepared to endorse Alternative B which created a National Historic Site at the former Monroe Elementary School under NPS administration. Rogers further told the subcommittee that the bill authorized the Secretary of the Interior to enter into cooperative agreements with private and public organizations. "We certainly intend," he assured the subcommittee, "to work very closely with the Brown Foundation, which, under the energetic leadership of Linda's sister, Cheryl Brown Henderson, has worked so diligently to continue to breathe life into this effort."⁷²

⁷² Hearing Before the Subcommittee on Public Lands, National Parks and Forests, 102nd Congress, 2nd session, August 6, 1992.

While enthusiastically supporting the legislation, Rogers told the committee that NPS recommended two amendments. First, he requested that the map of the proposed boundary of the park, which was attached to the legislation, be renamed in conformance with NPS standards. Second, he questioned the name of the proposed park: Civil Rights in Education: Brown v. Board of Education National Historic Site. Although historically accurate, he claimed, it “is cumbersome at best.” He told the committee that NPS preferred to name the park Equal Rights in Education National Historic Site.

Senator Dole then introduced Cheryl Brown Henderson to the subcommittee. In urging his colleagues to support the Brown v. Board of Education National Historic Site, which the Brown Foundation had led for more than two years, Dole concluded by observing that All those who played a role in advancing the [*Brown v. Board of Education*] case dreamed of a Nation where school children and all people were not divided by race. They dreamed of a Nation where the doors of life, liberty, the pursuit of happiness were open to all and not slammed shut on some. They dreamed of a Nation that built bridges and not walls, and they believed that the Constitution provided that Nation. And the Supreme Court said they were right. It was a shining moment in history that every American should be proud of.⁷³

In her testimony, Brown Henderson reviewed the role that her father played in ending desegregation through his participation in the *Brown* case. What he stood for, she proclaimed, “was not idealism, but rather the best tradition of what this country represents to the world.” She cited the Management Alternatives Study, where “it is noted that in order for African-Americans to achieve civil rights we did not have to change the constitution. We simply had to assure that we fulfilled the intentions of the framers, especially the framers of the 13th, 14th, and 15th Amendments.” Before concluding with a plea to pass the legislation, she gave praise to the Kansas Congressional delegation: “What these folks have done demonstrates a commitment to ensuring a more representative National Parks [sic] system in which people of all racial and ethnic backgrounds can take pride.”⁷⁴

Following her testimony, Senator Richard Shelby (R-AL), the subcommittee chair, asked her to give an opinion on NPS’ proposal to change the name of the park. While recognizing the merit of both titles and understanding the need to have a shorter title that allows the public to understand the park, she opined that, “If there was any way that Brown v. Board of Education could kind of be the subheading or subtitle, I would like to see that.” The two then engaged in a brief discussion:

Senator Shelby: Some kind of identity, because that is deep in the American psyche.

Ms. Henderson: I would like to see it somehow attached to the name, although I certainly understand the need to have a shorter name.

Senator Shelby: Well, a lot of people in America, most people I guess, would identify with *Brown v. Board of Education*, the Brown name with what went on, what was old in America that is no longer, right?

⁷³ Ibid.

⁷⁴ Ibid.

Ms. Henderson: And the building stands a monument to the courage of millions of Americans.⁷⁵

The subcommittee reported the bill back to the committee with amendments, including the revised name. The Committee on Energy and Natural Resources then reported the amended bill to the full Senate on September 24, 1992, where it passed by voice vote on October 1, 1992. The Senate's bill was then sent to the House of Representatives on October 2, 1992, where it was opened for debate on October 6, 1992. On the same date, the Senate agreed to the House amendments to the bill, and the full Senate passed the bill as amended on October 8, 1992. The Senate then presented the bill to President George H.W. Bush on October 20, 1992; on October 26, 1992, President Bush signed the bill into law as Public Law 102-525.

The site's purpose, as defined in its enabling legislation, is to "preserve, protect, and interpret" sites that contributed materially to the *Brown* decision that brought an end to segregation in public education, to interpret the role of the *Brown* decision in the civil rights movement, and to assist in the preservation and interpretation of related sites in Topeka "that further the understanding of the civil rights movement." The legislation authorized the Secretary of the Interior to acquire Monroe Elementary School and any personal property associated with and appropriate for the park's interpretation, through willing sellers only. The legislation also authorized the Secretary of the Interior to enter into cooperative agreements with public and private organizations and required the preparation of a General Management Plan within two complete fiscal years after funds were appropriated. Finally, the legislation authorized the appropriation of up to \$1,250,000 for land acquisition and initial development.

Boundary Expansion

The relationship among the several individual cases that formed the *Brown v. Board of Education* case, arising from Delaware, South Carolina, Virginia, and the District of Columbia as well as Kansas, is vital to the understanding and interpretation of the *Brown* decision. From its inception in 1988, for example, the Brown Foundation insisted that the *Brown* case was about far more than Oliver Brown's role in the original case, arguing that the multiple cases and collective action by the NAACP be identified as central to the *Brown* decision. *Brown v. Board of Education* NHS incorporated this understanding in its interpretive programs, particularly in the exhibits developed with the input of the Brown Foundation for Monroe Elementary School in 2004. As early as 1994, during initial discussions among the General Management Plan team, the question of adding Sumner Elementary School to the park was debated vigorously. Because the park's enabling legislation included only Monroe Elementary School, however, the planning team reached a consensus that such a move, which would require Congressional action to revise the park's boundary, was not worth the effort in part because of the number of schools in Topeka that were named in the *Brown* case. All four schools reserved for African American children and eight schools reserved for white children could make the case for inclusion. Instead, the decision was made to concentrate NPS development efforts and funds on Monroe Elementary School and its grounds while incorporating Sumner Elementary School and sites outside of Kansas into the park's interpretation.

⁷⁵ Ibid.

Since the early 2010s, however, the park has placed increasing effort on expanding its outreach to those who manage and interpret sites that are associated with the *Brown* decision in the other states and the District of Columbia. As early as 2012, Cheryl Brown Henderson, her colleagues at the Brown Foundation, and other *Brown* litigants met with Representative Jim Clyburn (D-SC) about the possibility of expanding the park as a way to connect sites associated with the *Brown* decision into a single entity, and members of the families associated with the other cases strengthened their relationships with each other.⁷⁶ Later in the decade, the National Trust for Historic Preservation's African American Cultural Heritage Action Fund coordinated with Representative Clyburn and Senator Chris Coons (D-DE) to foster the connections among the sites and people associated with the other cases in the *Brown* decision while also allowing the buildings to maintain their current uses.⁷⁷

These efforts drew Congressional attention late in the decade. In September 2020, Representative Clyburn, with Representatives Lisa Blunt Rochester (D-DE), Eleanor Holmes Norton (D-DC), and Denver Riggleman (R-VA), introduced H.R. 8281. At the same time, an identical companion bill was introduced as S. 4622 in the Senate by Senator Coons with Senators Lindsay Graham (R-SC), Mark Warner (D-VA), Tim Scott (R-SC), Timothy Kaine (D-VA), and Thomas Carper (D-DE) as co-sponsors. Both bills would amend the park's enabling legislation by expanding the park's boundary to include Summerton High School and Scott's Branch High School in South Carolina, though not until the Department of the Interior acquired sufficient land (or interests in land) that included these schools. In addition, the legislation recognized other sites that are affiliated with the *Brown* decision: the Robert Russa Moton Museum (formerly Robert Russa Moton School) in Virginia; Howard High School, Claymont Community Center (formerly Claymont High School), Hockessin School #107C in Delaware; and John Philip Sousa Junior High School in the District of Columbia. The legislation proposed that NPS provide general administration for the affiliated sites and enter into cooperative agreements with the local entities that manage the sites, "to provide financial assistance for the marketing, marking, interpretation, and preservation of the respective affiliated area." The affiliated site would continue to be owned, managed, and maintained by the local entity.

The House of Representatives referred H.R. 8281 to the House Committee on Natural Resources, and the Senate referred S. 4622 to the Senate Committee on Energy and Natural Resources. Neither the House nor the Senate committee referred the bill to their respective subcommittee, and both bills died in committee when the 116th Congress ended. When the new Congress was seated, however, both bills were introduced again on February 8, 2021. The Senate bill (S. 270) was again sponsored by Senator Coons with the same co-sponsors except that Senator Jerry Moran (R-KS) was added. The House bill (H.R. 920) had the same sponsors except that Representative Robert Good (R-VA) replaced Representative Riggleman. Both bills in the 117th Congress were identical to the original bills. The House of Representatives referred H.R. 920 to the House Committee on Natural Resources which, in turn, referred the bill to the House Natural Resources Subcommittee on National Parks, Forests, and Public Lands. The subcommittee held hearings on April 12, 2021. The subcommittee did not release a report or take any further actions.

⁷⁶ Brown Henderson, 2022.

⁷⁷ Ibid. See also <https://savingplaces.org/brown-v-boe#.Yp-URS-B0Us>.

The Senate referred S. 270 to the Senate Committee on Energy and Natural Resources which, in turn, referred the bill to the Senate Subcommittee on National Parks. The subcommittee held hearings on June 23, 2021, and, on November 18, 2021, reported the bill back to the committee favorably with an amendment. The Senate Committee on Energy and Natural Resources released its report on March 2, 2022. This report included the testimony provided to the subcommittee in June 2021 by Acting NPS Associate Director for Park Planning, Facilities and Lands Michael A. Caldwell. In his statement, Caldwell declared that NPS supported the bill but proposed an amendment that would redesignate the park as Brown v. Board of Education National Historical Park. After providing additional historical background information on all five of the cases that were part of the *Brown* decision and the sites that are associated with them, Caldwell argued for the site's redesignation "to reflect the park's larger geographic scope." The committee approved the NPS recommendation and amended the bill as they reported it back to the full Senate; only Senator Mike Lee (R-UT) voted against the bill as amended.

The bill was brought to the floor of the Senate on April 6, 2022, where Senator Coons proposed a minor amendment that clarified the status of the additional sites to be included in the legislation. The Senate quickly approved the amendment and passed the bill on a voice vote. The Senate bill was received in the House of Representatives the next day, and brought to the floor for debate on April 26, 2022. Representative Raul Grijalva (D-AZ) introduced the bill on the floor, where it received support from Representative Cliff Bentz (R-OR) and Representative Clyburn, who sponsored the House version of the bill. Following these comments of support, the House of Representatives passed the bill by voice vote. The bill was presented to President Joseph R. Biden on May 9, 2022, who signed the bill into law as P.L. 117-123.

Sites of Conscience

The National Park Service, like much of American society, was slow to recognize and commemorate the achievements of the nation's minority populations and the challenging aspects of American history when the nation failed to live up to its promises. As Senator Robert Dole noted in his introduction to Cheryl Brown Henderson prior to her Senate subcommittee testimony, "You can tell a great deal about a country by how it deals with its mistakes. . . . Americans not only admit their mistakes, they make national historic landmarks out of them." The first historical park which began to address issues of African American history was George Washington Carver National Monument, Missouri, which was established by Congress in July 1943, seven months after Carver's death. Planning efforts for the monument began in 1950, and, in 1952, NPS appointed Arthur Jacobson, a ranger from Yellowstone National Park, Montana, as the monument's first superintendent. At the same time, NPS hired Robert Fuller as the monument's historian, the first African American hired for a professional position in the National Park Service; the next year, NPS held a racially-integrated public dedication ceremony at which Secretary of the Interior Douglas McKay referenced "the Department of the Interior's commitment to making progress on civil rights."⁷⁸ Three years later, in 1956, Congress established Booker T. Washington National Monument, Virginia, and, in 1962, the Frederick Douglass Home, District of Columbia, now the Frederick Douglass National Historic Site, was added to the National Park System. As the civil rights movement became more prominent throughout American society and its politics in the 1960s, with the March on Washington in

⁷⁸ Diane L. Krahe and Theodore Catton, *Walking in Credence: An Administrative History of George Washington Carver National Monument* (Washington, DC: National Park Service, U.S. Department of the Interior, 2014), iv.

1963, passage of the Civil Rights Act in 1964 and the Voting Rights Act in 1965, the academic establishment took greater notice of the history of African Americans in the nation as more than just the victims of enslavement in the southern colonies and states. By the late 1960s, historians had begun gravitating toward richly detailed and largely sympathetic studies of a range of populations that had long existed on the margins including women, American Indians, immigrants, workers and the labor movement, and rural and urban areas that had previously been bypassed.

Although NPS continued to create historical parks to commemorate traditional topics such as presidents and explorers and battlefields, by the 1970s its scope had broadened when the Clara Barton National Historic Site, Maryland, and the Tuskegee Institute National Historic Site, Alabama, were established in 1974. As mentioned earlier in this chapter, NPS took an important step in 1978 with the creation of the Maggie L. Walker National Historic Site in Richmond, Virginia, the first unit to commemorate the life and work of an African American woman. Important gains were also made in 1980, when the Boston African American National Historic Site, Massachusetts; Martin Luther King, Junior, National Historic Site, Georgia; and Women's Rights National Historical Park, New York, were established.

The range of these units of the National Park System that were intended to interpret and commemorate those who had previously been marginalized or ignored expanded throughout the 1990s and began to focus on commemorating and interpreting injustices endemic within the culture of the nation. After a controversial refusal in the early 1980s to study the Mary McLeod Bethune Council House in the District of Columbia, where Bethune founded the National Council of Negro Women in 1935, NPS, at the direction of Congress, agreed to acquire the house in 1991, establishing it as the Mary McLeod Bethune Council House National Historic Site. The following year, in addition to creating the Brown v. Board of Education National Historic Site, Congress established the Manzanar National Historic Site, California, to commemorate the incarceration and forced relocation of thousands of Americans of Japanese descent during World War II. In more recent years, President Barack Obama used the authority granted to the president through the Antiquities Act of 1906 to issue an Executive Order on June 24, 2016, that established the Stonewall National Monument, New York. This park commemorates a spontaneous act of resistance that followed a police raid on the Stonewall Inn, one of the few places in New York City where those who would identify today as lesbian, gay, bisexual, transgender, or queer could socialize. The act of resistance in 1969 served as a milestone in the quest for civil rights by this marginalized group. In addition, President Obama used his executive authority through the Antiquities Act to establish two other units of the National Park System that are related to African American history: Charles Young Buffalo Soldiers National Monument, Ohio (in March 2013) and Pullman National Monument, Illinois (in February 2015).

In the late 1990s, Congress established additional units of the National Park System that focused on civil rights, including Little Rock Central High School National Historic Site, Arkansas, where the federal government first acted to enforce the *Brown* decision as law. These two sites, connected by the shared history of racial segregation in America's public schools, together with other sites created from the 1980s to the present, demonstrate the commitment of NPS to interpret these challenging and painful aspects of American history.

Chapter 3: Initial Implementation of Brown v. Board of Education NHS

When Congress established Brown v. Board of Education NHS in October 1992, the new park had neither a building nor staff. The Brown Foundation clearly was eager to get to work, and, in part, as a result of the Brown Foundation's involvement, the Kansas Congressional Delegation was paying close attention to the new park's development. The process of activating the park, therefore, was faster than many parks experience. In November 1992, barely one month after Congress established the park, Midwest Regional Director Don Castleberry tasked S ndra Washington, then serving as a Planner in the Midwest Regional Office, with serving as the Interim Site Manager (Figure 10). Castleberry assured her, she recalled, that it would "be a paper exercise. You'll sign some stuff up there at your desk. . .you won't have to move." After beginning work in November 1992, Washington found herself spending the majority of her time in Topeka during the following winter and relocated to Topeka in the spring of 1993.⁷⁹



Figure 10. S ndra Washington, 2020. Photograph by Deborah Harvey.

Monroe School

The Regional Office's first priority was to acquire the school to relieve the financial burden on the owner, Mark Steuve, and to begin protecting it from further deterioration. In late 1990, as discussed in Chapter 2, the Trust for Public Land (TPL) supported Steuve by securing an option on the building, providing operating costs, and offering to fund a real estate assessment. At the beginning of 1993, the Regional Land Office began proceedings to purchase Monroe School, beginning with environmental studies. Site investigations by staff from the Regional Office in March identified the possible presence of asbestos and the toxic chemical polychlorinated biphenyl (PCB) at the site. In addition, initial ground boring samples by Terracon Environmental, working under contract to TPL, indicated the possibility of low-level petroleum contamination from the site of a former service station.⁸⁰ In May, TPL again

⁷⁹ S ndra Washington, oral history interview, February 27, 2020.

⁸⁰ Memorandum, Regional Safety Manager to Chief, Land Acquisition, March 16, 1993, including a four-page letter report from Terracon to Steuve dated December 1, 1992; files of Brown v. Board of Education NHS, L1425.

contracted with Terracon to conduct sampling for hazardous materials at Monroe School and provided the results to the Regional Office in early July. The tests identified the presence of all three hazardous materials— asbestos, lead-based paint, and PCB—but at levels that were not severe enough to stop the process of acquiring the building.⁸¹ The Regional Office completed its environmental review in the summer of 1993 and, in September, contracted with a real estate appraiser in Topeka to assess the building. The appraisal identified a fair-market value of \$120,000, which both NPS and Steuve approved. In early December 1993, Regional Chief of Land Resources Frederick Meyer approved the purchase of Monroe School, and the sale was completed in the winter of 1994.⁸²

Washington recalled the state of the building when she arrived, before title passed to NPS. It was structurally sound, but the interior was in fair to poor condition with live wiring in places and standing water in the basement. Some walls on the first floor had been removed, and there was evidence of a fire in one of the first-floor rooms, but the floors, bathrooms, and trim were in good condition (Figure 11). Mark Stueve, the owner of the building, had procured a large supply of glass windowpanes to serve as replacements after local children threw stones at the windows from outside the fencing that surrounded the building. In early 1993, Washington worked with Regional Chief of Cultural Resources F.A. (“Andy”) Ketterson, Jr. to sponsor a survey team from the Historic American Buildings Survey (HABS) to document the site. The HABS team, consisting of historians and architects, worked through the summer of 1993 to prepare a set of detailed measured drawings of Monroe School’s exterior, interior, and architectural details (Figure 12). Washington provided the team with water, portable toilet facilities, and drafting tables, and gave them keys to the building. As she recalled, “we had the HABS team there that summer. They did a beautiful job. They gave me company so that I could feel safe.”⁸³ This completed set of survey drawings is now in the HABS collection at the Library of Congress.

In addition to working with the Regional Office to acquire Monroe School, Washington took on several other duties at *Brown v. Board of Education* in the first half of 1993. One of these was to secure office space for the park’s administrative staff. She hoped to find space in downtown Topeka and was aware that leasing space from a federal agency would be the easiest path. In the fall of 1993, Cheryl Brown Henderson introduced Washington to a family member who was the United States Postmaster for Topeka, Al Lewis, who told Washington that he had office space for lease in the Post Office on South Kansas Avenue (Figure 13).⁸⁴ The building originally served as the District Courthouse where the first trial in *Brown v. Board of Education* was held. In October 1993, Washington made a request to the Postmaster to lease space in the building, and, in November, the United States Postal Service agreed to lease three rooms,

⁸¹ Margaret J. Madden, TPL to Vern Hunt, MWRO, July 6, 1993, including the Terracon letter report dated Jun 29, 1993; files of *Brown v. Board of Education* NHS, L1425.

⁸² The appraisal report is dated September 21, 1993, and NPS approved the valuation on October 22, 1993; files of *Brown v. Board of Education* NHS, A54. See also Frederik L. Meyer to Mary L. Rogge, Kansas Secured Title and Abstract Company, December 6, 1993, authorizing the purchase of the property for \$120,000; files of *Brown v. Board of Education* NHS, L14.

⁸³ *Ibid.* See also completed set of drawings available on the Library of Congress website, [Monroe Elementary School, 1515 Monroe Street, Topeka, Shawnee County, KS \(loc.gov\)](https://www.loc.gov/rr/histherv/habs/monroe.html).

⁸⁴ *Ibid.* The familial relationship is identified in Brown Henderson, 2022.



Figure 11. Monroe Elementary School interior, first floor, 1995. Photograph in files of *Brown v. Board of Education* NHP.

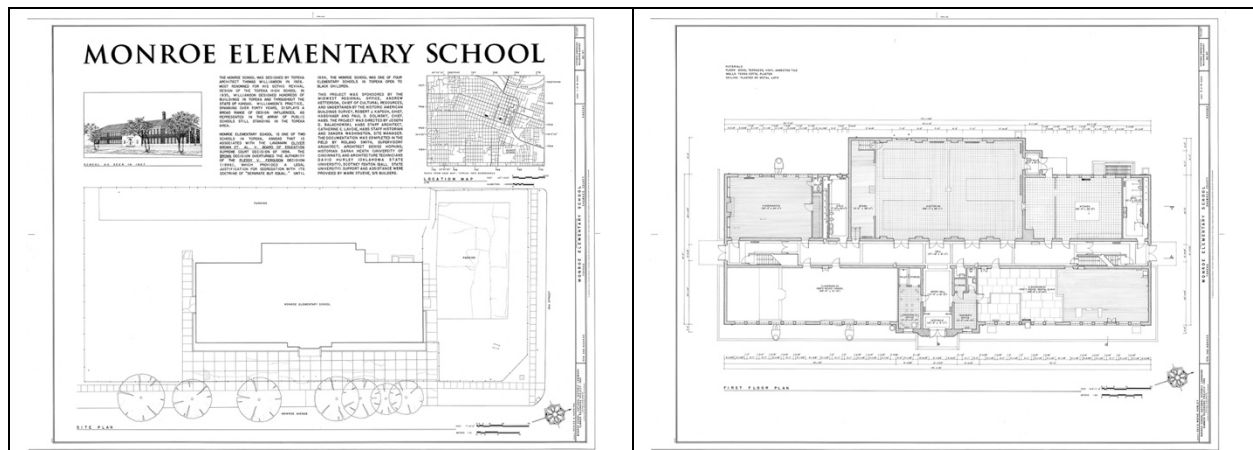


Figure 12. Historic American Buildings Survey drawings of Monroe Elementary School. Scans of original drawings in the Library of Congress, Washington, DC, available on the HABS/HAER/HALS website: <https://www.loc.gov/pictures/collection/hh/item/ks0160/>.

totaling 1,425 square feet, to the park, together with two parking spaces. The General Services Administration (GSA) coordinated the lease, and Washington took occupancy in early 1994.⁸⁵

Washington also took steps to begin documenting the park's cultural landscape. This was still a new concept for NPS, which began producing cultural landscape reports in the mid-1980s. In early 1994, Washington, with the support of the Regional Office, proposed to conduct a

⁸⁵ Washington to Vicki Gruber, USPS Facilities Service Office, October 21, 1993, files of *Brown v. Board of Education* NHS; Gruber to Washington, November 2, 1993, files of *Brown v. Board of Education* NHS, A8027; Acting Regional Director William W. Schenk to Debbie Munroe, GSA, November 18, 1993, files of *Brown v. Board of Education* NHS, A8027.



Figure 13. United States Post Office Building, Topeka, 2021. Photograph by the author.

Cultural Landscape Inventory (CLI), which Acting Regional Director James Loach described as “A new National Park Service landscape inventory and evaluation process.”⁸⁶ This would be a baseline documentation process using historic maps and aerial photographs to document housing patterns during the period of significance for the school (1950-1954) and at present to describe the key landscape features of the neighborhood. To conduct the work, Washington hired David Barnes, a graduate student of landscape architecture at the University of Michigan, as a seasonal employee.⁸⁷ Barnes worked in Topeka during the summer of 1994 under the direction of Historical Landscape Architect Sherda Williams, then working in the Midwest Regional Office (now Department of the Interior Region 3, 4, 5) with responsibility for developing an inventory of cultural or historic landscapes within the region. Barnes completed a substantial historic overview of Monroe School and its surrounding neighborhood, which served as an important source for the park’s Historic Resource Study, also begun in the summer of 1994.⁸⁸

The CLI remained in draft form, with occasional updates and new surveys and evaluations in 2000, 2004, 2005, and 2011 before the final CLI was completed in 2014. This report, based largely on Barnes’ research but with the addition of extensive oral histories, included a substantial history of the physical development of Monroe School and its environs, comprised of the building itself, the playground, and the surrounding neighborhood. The CLI identified more than twenty individual features of the landscape: open spaces and standing buildings and structures, alleys, parking spaces, sidewalks and steps, and courtyard areas, and

⁸⁶ James A. Loach to Richard Pankratz, May 11, 1995, files of Brown v. Board of Education, H3017.

⁸⁷ Memorandum, Superintendent, Brown v Board of Education NHS to Superintendent, Fort Scott NHS, July 8, 1994; files of Brown v. Board of Education NHS, L7019.

⁸⁸ Washington to David Barnes, May 18, 1994, files of Brown v. Board of Education NHS, P2217. Barnes’ draft report is attached to Memorandum, Dave Barnes to Mary Hughes, August 12, 1994; files of Brown v. Board of Education NHS, H3019. See also Rachel Franklin Weekley, “*A Strong Pull, a Long Pull, and a Pull Altogether: Topeka’s Contribution to the Campaign for School Desegregation*,” Historic Resource Study, Brown v. Board of Education National Historic Site, Topeka, Kansas, December 1999, xi.

evaluated the spatial relations among them. The CLI also presented an evaluation of the significance of the cultural landscape, finding that it contributed to the significance of Monroe School, and that the integrity of the cultural landscape was moderate.⁸⁹

Staff

As part of her efforts to begin activating the park, Washington brought on staff for temporary, seasonal, and permanent positions. As discussed earlier, she hired David Barnes to conduct the CLI in the spring of 1994. At the same time, she also hired Janelle Ryberg, an undergraduate in architecture at North Dakota State University, as a seasonal employee to begin collecting data on Monroe School for the Inventory and Condition Assessment Program (ICAP).⁹⁰ Washington coordinated with other nearby parks for temporary staff, including bringing Maintenance Supervisor Paul Taylor from Lincoln Boyhood National Memorial, Indiana, to conduct initial maintenance tasks in 1993.⁹¹ In April 1994, she coordinated with the Superintendent of Jefferson National Expansion Memorial National Historic Site, Missouri, to allow Interpreter Bill Henry to work with Brown v. Board of Education NHS on a three-week detail. His tasks were to develop a Junior Ranger program and a short-term interpretive strategy for the park in advance of National Parks Week in late May 1994.⁹² Earlier in 1994, Washington hired Administrative Officer Teri Perry (now Gage) as the park's first permanent employee (Figure 14). Perry began her NPS career at Pictured Rocks National Lakeshore, Michigan, as a Clerk-Typist, later serving as the Administrative Assistant at Lincoln Boyhood National Memorial, Indiana, before making a lateral transition to Brown v. Board of Education NHS.⁹³



Figure 14. Teri (Perry) Gage, 2020. Photograph provided by Ms. Gage.

⁸⁹ *Monroe Elementary School Cultural Landscapes Inventory*, July 2014; MWRO Cultural Landscapes Program.

⁹⁰ Memorandum, Superintendent, Brown v Board of Education NHS to Superintendent, Fort Scott NHS, July 8, 1994; files of Brown v. Board of Education NHS, L7019.

⁹¹ Washington, oral history interview.

⁹² S ndra J. Washington to Bill Henry, March 29, 1994, files of Brown v. Board of Education NHS, P8815; Memorandum, Superintendent, Brown v. Board of Education NHS to Superintendent, Jefferson National Expansion Memorial NHS, April 8, 1994, files of Brown v. Board of Education NHS, P8815. According to the latter memorandum, Washington would be able to provide Henry's travel expenses, but not his salary.

⁹³ Teri Gage, oral history interview, May 7, 2020. See also S ndra J. Washington to Bill Henry, March 29, 1994, files of Brown v. Board of Education NHS, P8815.

Washington served as the park's Interim Site Manager from November 1992 until July 1994. In June 1994, the Regional Office selected Rayford Harper to serve as the park's first Superintendent (Figure 15).⁹⁴ Harper, who entered on duty on July 10, 1994, had served as a Park Ranger, Historian, and Naturalist at several parks including Castillo de San Marcos National Monument, Florida; Ninety-Six National Historic Site, South Carolina; Natchez Trace Parkway; Grand Canyon National Park, Arizona; and Roosevelt-Vanderbilt National Historic Sites, New York. Harper was serving as the Supervisory Park Ranger at Morristown National Historical Park, New Jersey, when he was selected for Brown v. Board of Education NHS, his first time as a Superintendent.⁹⁵ In March 1995, Harper made his first hire for the park when Park Ranger Robin White transferred from Petroglyph National Monument, New Mexico (Figure 16). White had begun her career at Indiana Dunes National Lakeshore, Indiana, as a park aide and was promoted there to Park Ranger and Weekend Supervisor while working as an environmental educator and urban coordinator. While at Indiana Dunes National Lakeshore, White won the prestigious Freeman Tilden Award for excellence in interpretation. She then transferred to Petroglyph National Monument in 1991 where she worked extensively with American Indian Tribes.⁹⁶



Figure 15. Rayford Harper, 1996. Photograph in the files of Brown v. Board of Education NHS.



Figure 16. Robin White, 2020. Photograph by Deborah Harvey.

In July 1995, as park and Regional staff were conducting a conditions assessment of Monroe School, White hired Treva Sykes as a seasonal Maintenance Worker (Figure 17). As White recalled, “Hiring Treva was the best thing I did for the site; she is my legacy.”⁹⁷ Sykes was then a student in a course on Building Mechanics at the KAW Area Technical School in Topeka, where an instructor urged her to apply for the position. Sykes conducted extensive

⁹⁴ Memorandum, Chief, Human Resources Management Division, Midwest Region to Rayford Harper, June 7, 1994; files of Brown v. Board of Education NHS, P8815.

⁹⁵ For background on Harper, see [Biography – Moderator Rayford Harper – First South Florida Missionary Baptist District Association \(wordpress.com\)](https://www.wordpress.com/biography-moderator-rayford-harper-first-south-florida-missionary-baptist-district-association/).

⁹⁶ Robin White, oral history interview, May 8, 2020.

⁹⁷ Ibid.

maintenance and repair tasks at the school, which, when she began working there, had no running water and only limited electricity. As Sykes, who remains on staff at the time of preparation of this Administrative History, recalled, she had limited experience and received no formal guidance other than to take care of the building as best she could. She started with repairing windows and doors to stop any further deterioration. She recalled that “my own personal goal was, I wanted to make it [Monroe School] look the best I could, even though we weren’t open.” She removed the chain link fence that surrounded the building, cleared weeds from the sidewalks, mowed the field across the street from the school, and cleaned debris from the interior.⁹⁸ Additional early staff included Secretary Alicia Bullocks, who entered on duty as a seasonal employee on May 30, 1995, and Park Ranger LaTrelle Pierre, who transferred from Morristown National Historical Park, New Jersey, and entered on duty on March 3, 1996.⁹⁹



Figure 17. Treva Sykes, 2020. Photograph by Deborah Harvey.

The Brown Foundation: Initial Negotiations and the First Cooperative Agreement

Beyond conducting administrative tasks to support the park’s activation in 1993 and early 1994, including hiring staff, Washington initiated two of the park’s most crucial and long-lasting steps in 1993: leading development of the park’s General Management Plan (GMP) and formalizing coordination with the Brown Foundation. Collaboration between the park and the Brown Foundation took place within the framework of a cooperative agreement, a legal instrument that allows federal entities to transfer funds to non-federal entities for specific purposes that have a public benefit and when authorized by Congress. Although the 1992 legislation did not identify the Brown Foundation, it specifically allowed cooperative agreements, and negotiations with the Brown Foundation regarding the terms of a cooperative agreement was one of NPS’ first tasks. Because the Brown Foundation had been so influential in saving Monroe School from possible demolition and securing Congressional support for establishing the park, close collaboration of NPS and the Brown Foundation through a cooperative agreement was a natural outgrowth, a continuation of development of the site.

⁹⁸ Treva Sykes, oral history interview, February 24, 2020.

⁹⁹ Teri M. Perry to Alicia Bullocks, May 10, 1995, files of Brown v. Board of Education NHS, P2217; Rayford Harper to Clark Dixon, Morristown NHP, January 29, 1996, files of Brown v. Board of Education NHS, P8815.

Brown Henderson recalled that the focus of the first cooperative agreement, which had a five-year term, was on assisting NPS with the park's activation and initial planning process, including support for the park's General Management Plan (GMP). After Sandra Washington provided a draft cooperative agreement in July 1993, however, Clyde Howard, Equal Employment Opportunity Director for Kansas State University and Treasurer of the Brown Foundation, developed a cooperative agreement concept in coordination with Regional Contract Officer Theora McVay. Together with the Brown Foundation Board, Howard drafted an agreement that included developing and implementing teacher training materials and programs related to the *Brown* decision, conducting oral histories, planning and sponsoring symposia, providing programs and materials for professional historians to improve understanding of the decision, and developing and maintaining a resource library.¹⁰⁰ In addition, based on their review of other cooperative agreements, the Brown Foundation recommended language that included additional NPS oversight of their projects, monitoring, and assistance with development of programs and materials by the Brown Foundation, and provision by NPS of office space and supplies to the Brown Foundation to support its work under the cooperative agreement.¹⁰¹ The Brown Foundation expanded on these suggestions with a more detailed proposal in September 1993. This proposal included support for the GMP process and initial interpretive planning by the Brown Foundation together with more specific items to be provided to NPS by the Brown Foundation that included curriculum guides, training materials for NPS interpretive staff, traveling exhibits, oral histories, speakers for off-site events, symposia, a research library, and cooperation with other federal, state, and local organizations. This proposal included an ambitious first-year plan for FY 1994 that focused on GMP planning, oral histories, traveling exhibits, symposia, curriculum guides, and a research library, all to be undertaken by the Brown Foundation with support from NPS.¹⁰²

Finally, in late September 1993, the Brown Foundation and NPS executed the first cooperative agreement which incorporated all of these recommendations and was based largely on the Brown Foundation's final proposal earlier in the month. The cooperative agreement was to be in place for a term of five years with the overall purpose of increasing an appreciation and understanding "for the places that contributed materially to the landmark United States Supreme Court decision that brought an end to segregation in public education" and the role of the *Brown v. Board of Education* decision in the nation's Civil Rights movement. More specifically, the cooperative agreement identified thirteen activities that would allow the Brown Foundation and NPS to collaborate, all of which had been proposed in various drafts either by NPS or the Brown Foundation. Two of these activities were overarching management requirements, calling on the Brown Foundation to notify NPS if conditions arose that would prohibit them from carrying out their tasks, cause them to miss deadlines, or require additional funding, and allowing NPS "substantial involvement. . . in the management and execution of the project." The cooperative agreement then defined "substantial involvement," which included reviewing and monitoring the objectives of the Brown Foundation for agreement with NPS standards, policies, and guidelines;

¹⁰⁰ Brown Henderson, 2022.

¹⁰¹ Memorandum, Cheryl Brown Henderson to Sandra Washington, August 12, 1993; files of *Brown v. Board of Education* NHS.

¹⁰² Brown Foundation, "Cooperative Agreement Proposal," September 24, 1993; files of *Brown v. Board of Education* NHS.

monitoring and overseeing the development of curriculum and interpretive materials; assisting in the selection of contractors; and providing the Foundation with office space, equipment, and supplies for use on projects related to the cooperative agreement. An appendix to the cooperative agreement detailed the financial management requirements to which the Brown Foundation was obliged. The cooperative agreement was executed when Regional Assistance Officer Charles E. Carlson signed it on September 29, 1993.¹⁰³

Once the cooperative agreement was executed, negotiations between the Brown Foundation and NPS staff at the park and the Regional Office continued through the fall of 1993 regarding specific activities and the level of funding. The Brown Foundation had proposed a budget of \$104,000 per year. By December, however, the Regional Office supported a line item of \$102,000 per year for the Brown Foundation through the cooperative agreement, and the park committed to contributing an additional \$5,000 per year from its operating budget, for an annual total of \$107,000. In early January 1994, the Brown Foundation board of directors learned of the appropriation, and its treasurer announced plans to request funds quarterly. Since the park staff was occupying only a small office space in the U.S. Post Office building in downtown Topeka, the Brown Foundation arranged with Washburn University Law School for office space. At their meeting in early January, with funds through the NPS cooperative agreement secured, the Brown Foundation board of directors also passed a motion to hire Brown Henderson as Executive Director, and Brown Henderson's sister, Linda Brown Thompson, as a Program Associate.¹⁰⁴

General Management Plan

According to the park's enabling legislation, the GMP was to be completed within three years. The first steps were taken in early April 1993, when Planner Mike Bureman from the Denver Service Center (DSC), who served as the GMP Team Captain, traveled to Topeka with DSC Planning Section Chief Ron Johnson. Bureman and Johnson met with Midwest Regional Office (MWRO) Chief of Planning Dean Alexander, MWRO Interpretive Specialist Tom Richter, MWRO Historian and Section 106 Compliance Specialist Don Stevens, together with Washington, Brown Henderson and others from the Brown Foundation, and representatives from the Kansas State Historical Society, the City of Topeka, and staff to Kansas U.S. Senators Bob Dole and Nancy Kassebaum. The day-long meeting included discussions about the planning process, the role of the various partners, and the need to conduct additional historical studies and complete a historic structures report in coordination with the GMP. In addition, the meeting attendees agreed to convene "an informal, voluntary advisory group of recognized authorities in the Civil Rights [sic] movement to work with us on developing interpretive concepts."¹⁰⁵ The purpose of the GMP, according to a draft Task Directive that was completed in June 1993, was to address such topics as visitor experience and interpretation, visitor use and access, operations and administration, and resource management. Through internal team meetings and meetings with the public, it was decided that the GMP would also address potential impacts on the

¹⁰³ The signed and executed cooperative agreement is located in Brown v. Board of Education NHS files.

¹⁰⁴ Brown Foundation Board of Directors Meeting—Minutes for January 8, 1994; Brown Foundation collection, Kenneth Spencer Research Library, University of Kansas [KSRL], RHMS No. 1449, Box 1, Folder 36.

¹⁰⁵ Memorandum, Team Captain, Branch of Planning, Central Team, Denver Service Center to Chief, Branch of Planning, Central Team, Denver Service Center, April 20, 1993; files of Brown v. Board of Education NHS, D18.

surrounding neighborhood and the City of Topeka from increased traffic, and team members would determine whether a historic resource study was needed.¹⁰⁶

The GMP team began holding initial public meetings in Topeka in October 1993 and, at the same time, released the first in a series of newsletters to provide information about the planning process. This newsletter included several survey questions that asked for public input into the vision for the park, the ideas and information about the *Brown* decision that the park should share with visitors, concerns about the development of the park, and positive or negative impacts that the park might have on Topeka. Responses to these surveys were aggregated in January 1994 and varied widely. The most important goals that respondents hoped the park would meet were presenting a full and well-rounded story of the case with its implications for equality in education and the removal of “separate but equal” allowances in education, explaining the local background of the decision and the role of the Brown family, and relating the significance of the *Brown* decision to the broader civil rights movement. Among the concerns expressed, the greatest number of such responses focused on the possibility of inadequate funding and staffing and the fear that the story would not be told fully and accurately.¹⁰⁷

The GMP team worked through early 1994 to prepare a draft document that included management alternatives and an Environmental Assessment (EA). The focus of the document was the park’s interpretive program to show how the *Brown* decision regarding school desegregation fit into the broader history of the civil rights movement in America. The draft also included discussions regarding parking, maintaining the residential character of the surrounding neighborhood, and the degree to which the school and the grounds should be restored. The GMP team, along with Regional and Washington Office staff, questioned the possibility of options for the park’s development. According to a review of this first draft GMP by the Washington Office, the EA should not include a “no-action” alternative, since it would not allow NPS to comply with the requirements of the enabling legislation. Continuing in this vein, the reviewer opined that, “There may not be more than one true alternative involved here—the NPS must preserve the building and interpret the importance of the Brown v. Board decision in the struggle for civil rights for minorities.” Instead, this reviewer felt, the GMP should identify the issues, the choices to address those issues, and the current NPS preference. With regard to interpretation, for example, the reviewer asked, “will we consider doing other than our best? Won’t we tell as much of the story and as widely as possible and with a variety of media to the extent of our resources? Do we actually need to consider a range of alternatives with respect to interpretation?”¹⁰⁸

¹⁰⁶ “Task Directive, General Management Plan/Development Concept Plan/Interpretive Prospectus/Environmental Assessment, Brown v. Board of Education National Historic Site, Topeka, Kansas,” September 1993; files of Brown v. Board of Education NHS, D18. The final Task Directive was approved in August 1994, see Memorandum, Chief, Branch of Planning, Central Team, Denver Service Center to Regional Director, Midwest Region, July 29, 1994; files of Brown v. Board of Education NHS, D18.

¹⁰⁷ “Brown v. Board of Education National Historic Site, Newsletter 1 Questionnaire Summary Response Profile,” January 21, 1994; files of Brown v. Board of Education, GMP Newsletter. See also form letter inviting public participation for meetings on October 19 and 20 [1993]; files of Brown v. Board of Education NHS, D18.

¹⁰⁸ Memorandum, Associate Director, Professional Services to Director, Midwest Field Area, no date [c. 1994]; files of Brown v. Board of Education NHS, D18.

In its revised draft, completed in the spring of 1995, the GMP team created a full development (the preferred alternative) and a limited development alternative. The limited development alternative required stabilizing and preserving the building sufficient to allow visitors to enter and be exposed to basic interpretive materials including site-produced exhibits and brochures. Equal priority would be given to providing offsite programs for groups and organizations, though there would be less interpretation of related sites. Under the preferred alternative, NPS would develop more robust audio-visual interpretive materials and interactive displays, while video conferencing and a computer resource center would provide links to universities, museums, and other NPS sites. In addition, NPS would offer regular educational programs to schools and other groups. Under both alternatives, “visitor experience would be focused on the stories rather than the school or artifacts.”¹⁰⁹

During the preparation of a revised GMP through 1994 and into early 1995, the GMP team wrestled with whether to include a stand-alone document that addressed the site’s interpretation. As DSC Editor Christy Fischer put it in an email to Superintendent Harper, “We have the building; what makes the difference in the alternatives is what we do inside.” Her supervisor, Writer-Editor Greg Sorensen, disagreed, arguing that providing a detailed interpretive plan for only one of the alternatives would create the impression that the preferred alternative was “a done deal.”¹¹⁰ The revised draft GMP in 1995, though, included an Interpretation and Visitor Experience Plan as an appendix, one portion of which opened a new point of discussion. A controversial point throughout the GMP process was the statement that the goal of the interpretation program was “to simply tell the truth.” As many reviewers of the early versions noted, this simple-sounding statement was fraught with difficulties given the complicated and controversial nature of the topic; myriad historians and other scholars had labored for years to present the truth, often coming to different conclusions. The revised draft GMP sought to resolve the problem by supplementing the statement, claiming that “controversy will not be avoided. Where historians and others differ on the description and interpretation of past events, visitors will have direct access to the differing perspectives. Documentation and sources will be available to visitors.”¹¹¹ The Interpretation Plan provided the key themes and stories central to the park’s purpose and identity. These included the verdict in the original 1954 *Brown* decision, the Supreme Court’s implementation verdict in 1955 (the so-called *Brown II* decision), the broader question of equal access to full civil rights, the people who were involved in the *Brown* decision, the constitutional and legislative context for the *Brown* decision that included the other four cases that were part of it, the history of racial discrimination in American history, and the impacts of the *Brown* decision in America and throughout the world. The Interpretation Plan provided additional descriptions of the different interpretive methods that could be used to present the themes, including static and interactive exhibits, audio-visual displays, wayside exhibits at Monroe School and throughout Topeka, and opportunities for the public to connect to scholars and libraries throughout the nation.

¹⁰⁹ *Draft General Management Plan, Development Concept Plan, Environmental Assessment Plan, Interpretation and Visitor Experience Plan*, as revised from March to October 1995 by the GMP Team, DSC, and Midwest Region; files of *Brown v. Board of Education NHS*, D18.

¹¹⁰ Email, Christy Fischer to Rayford Harper, May 13, 1995; files of *Brown v. Board of Education NHS*, D18.

¹¹¹ *Draft General Management Plan, Development Concept Plan, Environmental Assessment Plan, Interpretation and Visitor Experience Plan.*, 63.

The GMP team prepared a final draft in late 1995 and provided it to the MWRO and the Washington Office (WASO). Review of the final draft at these levels raised additional questions and concerns which were discussed in a large meeting in late January at the Midwest Regional Office in Omaha among staff from DSC, MWRO, WASO, and the park. The EA portion of the document received particular criticism that it was focused too much on visitors, with not enough attention paid to the building and to socio-economic impacts such as traffic, the economic benefits to the community, and neighborhood stabilization. The Midwest and Washington offices were also concerned about the presentation of alternatives, finding the preferred alternative to be unrealistic and the limited development alternative to be presented in a negative way that did not sound serious. In addition, reviewers felt that the final draft GMP was unclear in its recommendations regarding Sumner School and whether NPS might have an interest in expanding the park boundary to include it, the potential for putting playground equipment on the former playground location, and the degree and amount of assistance that NPS could provide toward neighborhood improvement.¹¹²

The multiple reviews by staff at the Midwest Regional Office, the Washington Office, the Denver Service Center, the Harpers Ferry Center, and the park soon created dissension, leading to delays in early 1996. The Midwest Regional Office and WASO disagreed on an approach to the EA, and each provided DSC with conflicting comments. The Regional Office also disagreed with the park on such matters as whether the park needed law enforcement and maintenance staff (Superintendent Ray Harper argued strongly to have these capacities on the park staff) and the role of the City of Topeka in providing space for parking. Much of the blame from the Washington and Regional Offices fell on DSC. In providing the responses to comments from the Washington and Regional Offices in early March 1996, GMP Team Captain Mike Bureman from DSC argued that “the most critical issue remains the contradictory directions we have from region and waso [sic] regarding changes in the EA. These contradictions must be clarified ASAP, if we are to have any hope of meeting the agreed upon deadline to get this document to the public.”¹¹³ Later that day, he wrote to Superintendent Ray Harper that “DSC is presently putting together a package and some folks are going to Omaha to have a ‘showdown’ over this whole review process. We are getting tired being told that we are incompetent, and it is always DSC’s fault.” Staff at all the offices and parks are competent, he argued, and the GMP process allows disagreement before reaching a good, final product, but “Then to get unmercifully hammered by region and waso [sic] at the 11th hour adds no value to the project, and only causes turmoil, polarization, etc.”¹¹⁴

Staff from DSC prepared a revised GMP for review in the spring of 1996. The revision focused on the alternatives, eliminating references to the lower level of development as a true option and instead identifying two phases of development. Many of the reviewers were concerned that limited development as defined in the earlier drafts of the GMP should not be included because it was not up to NPS standards and felt that the limited development option was a “straw man” argument. In the revision, both phases of development provided for the renovation of Monroe School to allow visitors to enter and receive an interpretive program, though Phase I

¹¹² Memorandum, Jon Holbrook, DSC to Project File, DSC, meeting summary of January 23, 1996; files of Brown v. Board of Education NHS, D18.

¹¹³ Email, Mike Bureman to Jon Holbrook, March 5, 1996; files of Brown v. Board of Education, D18.

¹¹⁴ Email, Mike Bureman to Ray Harper, March 5, 1996; files of Brown v. Board of Education, D18.

“would include interim actions to provide the minimum conditions needed to preserve and protect the resources, provide for public health and safety, and tell the basic interpretive story.” Phase I would include site-produced exhibits, in-person contact, and commercially-available audiovisual programs, with interpretation focused on the story rather than the school or artifacts. The park would place a higher priority on off-site programs. Under Phase II, the park would include additional protection for the school, be more prepared for diverse audiences, and include a more robust audiovisual experience. For the EA portion of the document, the DSC included increased information about the potential positive impacts of the park’s full development on the surrounding neighborhood together with the potential for increased traffic and emphasized the availability of NPS technical assistance to help the neighborhood retain its residential character. The exterior of Monroe School would be restored to its appearance in approximately 1950, while the interior would be rehabilitated for visitor information and orientation, exhibits, and offices for NPS and the cooperating association.¹¹⁵

The heart of the document remained the Interpretation and Visitor Experience Plan. This section was revised to remove the reference to telling the truth. Instead, the plan focused on representation and inclusion, assuring that visitors would have access to differing perspectives, both in the latest and best scholarship and in verbatim accounts, thus allowing visitors to form their own conclusions. According to the Interpretation Plan, “Truthfully interpreting this story will necessarily involve the representation of positions that may not be welcomed by some people today,” such as disagreements among civil rights organizations, the stated positions of those opposed to and supportive of integration, and references to African Americans and European Americans. At the same time, however, the Interpretation Plan explained that “a major effort will be made to include examples and stories about people who worked against racism and bigotry, overcame personal prejudices, or who fought and sacrificed for the dignity and equality of all people.”¹¹⁶

This proved to be the final draft of the GMP, which was submitted to the Kansas State Historic Preservation Officer (SHPO), who concurred with the plan. The GMP was also made available for public review for thirty days through June 14, 1996, and the final GMP was then released in August 1996.

Sumner Elementary School

The question of Sumner Elementary School and its potential for inclusion in an expanded park boundary was a point of discussion for the GMP team. As chronicled in Chapter 2, Sumner Elementary School, which had been the school for white children that was closest to the home of the Brown family in the early 1950s, was designated a National Historic Landmark (NHL) in 1988. In 1990, Harry Butowsky amended the NHL nomination to include Monroe Elementary School. By this time, Monroe Elementary School was threatened with extensive alteration or demolition as the owner, Mark Stueve, sought to sell it at auction, the action which ultimately led to the establishment of Monroe Elementary School as the site for the Brown v. Board of Education NHS. Sumner Elementary School, however, remained an active school until 1996, when the GMP was nearly complete. Early reviews of the draft GMP by the Washington Office

¹¹⁵ *Draft General Management Plan: Development Concept Plan/Environmental Assessment, Brown v. Board of Education National Historic Site*, May 1996; NPS Electronic Technical Information Center.

¹¹⁶ *Ibid.*, 49.

recommended a more complete discussion of expanding the boundary to include Sumner School. While recognizing “that there may be some serious constraints on the feasibility of NPS acquiring and maintaining the Sumner School, and that other alternatives for management and protection could be preferable,” the Washington Office argued that the GMP “should address these concerns in the context of our criteria rather than simply presenting a decision that has been made on the basis of our current lack of interest in accepting management responsibilities for what seems to be such an important resource.”¹¹⁷

In 1995, during work on the GMP, the Topeka Board of Education announced that it would close Sumner School in 1996, at the end of the school year, and initially approached NPS about conveying the school to NPS. This possibility was included in the draft GMP as completed in October 1995, but the GMP team included the recommendation that NPS “does not need to own Sumner School to adequately interpret its role in the story.” At the time, NPS was unwilling to take on responsibility for the maintenance and preservation of Sumner School, though the GMP stated that NPS “would look favorably upon a cooperative arrangement with the school district, the city, and other potential users to lease a portion of the building for administrative and/or programmatic purposes.”¹¹⁸ It was a contested decision, however, given the potential interpretive value of having the two schools associated with the *Brown* decision interpreted jointly. Those who argued against including Sumner School in an expanded park boundary focused on the known and potential liabilities, especially the need to maintain and preserve the building. As former Deputy Regional Director Dave Given recalled,

I was one of the people fighting it off, and I think that was important because, what would have happened is, we would have gotten the responsibility for Sumner School. We wouldn’t have gotten the priority to restore it, and we wouldn’t have gotten any more money to run it, so we would have had to take people from Monroe School and send them over to Sumner School, and it would have. . . ended up doing a. . . half-assed job at both places.¹¹⁹

Although the decision not to accept Sumner School and include it in an expanded park boundary was well-justified, the building suffered. After closing the school in 1996, the building remained vacant until the Topeka Board of Education allowed the Topeka Public Library to use it for storage while undertaking a substantial expansion of the downtown library. Work on the library was completed in 2002, and the Sumner Elementary School building was conveyed to the City of Topeka, which made occasional efforts to sell it. Topeka Lutheran School was the first to approach the City Council about purchasing the building, as the former Sumner school building would provide them with the ability to expand. Although the proposed sale was not completed, the Brown Foundation submitted a letter of support for it, since Topeka Lutheran School was a longstanding and well-respected institution.¹²⁰ Heritage Christian School, a private entity, also expressed interest in the building; the Brown Foundation again submitted a letter of support before the church backed out. A developer who was converting another school in the Topeka

¹¹⁷ Memorandum, Associate Director, Professional Services to Director, Midwest Field Area, no date [c. 1995]; files of *Brown v. Board of Education NHS*, D18.

¹¹⁸ *Draft General Management Plan, Development Concept Plan, Environmental Assessment Plan, Interpretation and Visitor Experience Plan*, as revised from March to October, 1995 by the GMP Team, DSC, and Midwest Region; files of *Brown v. Board of Education NHS*, D18, 24.

¹¹⁹ David Given, oral history interview, June 11, 2020.

¹²⁰ Brown Henderson, 2022. The reason why the sale did not go through was not identified in the present research.

area to affordable housing then expressed interest, but that, too, fell through, as did an attempt to establish a charter school by a local non-profit organization, Community First, on behalf of which the Brown Foundation also submitted a letter of support. Finally, in October 2008, the Topeka City Council voted to sell Sumner School at auction subject to a minimum sale price and the inclusion of deed restrictions regarding preservation of the building and community access. In 2009, the city sold the building to the highest bidder, Southside Christian Palace Church, based in Los Angeles. The church had been founded in 1972 by W.R. Portee, who bid \$89,000 for Sumner School through a local agent.¹²¹

The deed by which the City of Topeka conveyed Sumner Elementary School to Southside Christian Palace Church in 2009 contained three restrictive clauses tied to the acceptance of state funds to assist with historic preservation. These clauses allowed for limited public access, in the form of occasional tours, provisions for the neighborhood association to meet there, and consultation with the State Historic Preservation Office prior to any repairs or improvements. A local non-profit entity, Brown v Board Sumner Legacy Trust (BVBSLT), was established in 2012 to build public awareness of the school and its historical significance, and to encourage its preservation. One of the leaders of BVBSLT, City Council Member Karen Hiller, met with Portee in 2013 and 2014 to assess his intentions and to encourage him to preserve the building. Hiller found him to be genuinely interested in the role of Sumner School in the nation's civil rights movement. Hiller worked with Portee in 2014 to organize a team and prepare a grant to begin preserving, or at least mothballing, the building. Portee was, at that time, facing a financial crisis at his church base in Los Angeles which distracted his attention and restricted cash flow. To make matters worse, Portee died in November 2015. The purchase and attempted restoration of Sumner School was apparently Portee's project, enthusiasm for which was not shared by those under him in the church leadership. The grant attempt, therefore, was unsuccessful.¹²² The building remained vacant, and, in January 2018, the Ward-Meade Neighborhood Association filed suit in the Shawnee County Court against the Southside Christian Palace Church on the grounds that the church had not complied with the terms of the deed covenant to restore the school. The church's attorneys argued that they still intended to carry out the restoration but that it was taking longer than expected to raise the estimated seven million dollars. In January 2019, the Shawnee County Court decided against the Ward-Meade Neighborhood Association on the grounds that the deed covenants did not specify a timeline for restoration. The case was still under appeal at the time of the writing of this Administrative History.¹²³

The Brown Foundation and Early Park Planning

Part of Chief of Interpretation Robin White's goals for her work at Brown v. Board of Education NHS was to develop partnerships locally throughout the Topeka community, particularly with educators, and nationally with those who were promoting awareness of the history of civil rights. In this effort she collaborated extensively with Cheryl Brown Henderson

¹²¹ Karen Hiller, oral history interview, February 25, 2002; see also Emily Cowan, “Sumner Elementary School,” published on “Abandoned Kansas” website, February 18, 2021, [Sumner Elementary School | Abandoned Kansas \(abandonedks.com\)](https://www.abandonedks.com/sumner-elementary-school/).

¹²² Hiller, oral history interview.

¹²³ Cowan, “Sumner Elementary School;” Grant Stephens, “Fate of Sumner Elementary School to be Decided,” [Fate of historic Sumner elementary school to be decided \(wibw.com\)](http://wibw.com).

and the Brown Foundation, who were already coordinating extensively with NPS on the GMP. Brown Henderson, she recalled,

had a larger network of partnerships than we had, and she shared her resources with us. . . she was introducing us to her connections and networking and made sure that we weren't left out. So, Cheryl was, at that time, very inclusive, and we . . . joined the same team, being inclusive with her, as well.¹²⁴

Through this network of local and national connections, Brown Henderson was able to bring significant resources to her work with the park, particularly during the first cooperative agreement that extended from 1993 to 1998. Two events, in particular, showed the potential of the collaboration between the Brown Foundation and NPS. In early December 1993, during the early phases of preparing the GMP, the park hosted an Interpretive Themes workshop. The workshop was first proposed as one of several components designed to gather public input for the GMP, along with a newsletter and meetings for the general public to discuss management alternatives.¹²⁵ The workshop quickly expanded beyond this initial plan to include nationally prominent civil rights leaders as well as NPS staff. The discussion was led by DSC Planner and GMP team leader Mike Bureman, together with Interim Site Manager Sändra Washington. It was held in the law library of the former U.S. Courthouse in Topeka where the *Brown v. Board of Education* case was first heard, although, by the time of the GMP meeting, it was the U.S Post Office where the park's first office was located.

The purpose of the workshop was to identify the range of themes that NPS should consider incorporating into the park's interpretive program. Bureman explained how the program fit into the GMP process:

One of the first assumptions that we made as we began this process is that there are tangible resources such as the school and school buildings and the other resources around Topeka. The only real function is their role as a backdrop or a stage of the stories. It is the stories, not the buildings. The Park Service is very good at interpreting buildings, but in this case the stories in context are important and what comes out of these two days is going to be the guts of what drives this program.¹²⁶

Participants at the two-day workshop then introduced themselves and explained what they could bring to the process. It was a formidable line-up. Washington referred to the program as "sort of like an oral history fish bowl for people who represented the *Brown* case specifically."¹²⁷ Martin Luther King, Jr. NHS Chief of Interpretation Gayle Hazelwood started the discussion by relating her experiences with interpreting the civil rights movement at an NPS site and detailing how the park would use the insights from that meeting's other participants. She was followed by Terrance Roberts, one of the Little Rock Nine who integrated Central High School in 1957, then a professor of psychology, and next by Ronald Griffin, professor of law at Washburn University in

¹²⁴ White, oral history interview.

¹²⁵ Task Directive, General Management Plan/Development Concept Plan/Interpretive Prospectus/Environmental Assessment, *Brown v. Board of Education* National Historic Site, September 1993; files of *Brown v. Board of Education* NHS, D18.

¹²⁶ Interpretive Themes Workshop, Draft Transcript, February 1994. Produced by Denver Service Center transcript. Digital version housed in Electronic Technical Information Center (ETIC).

¹²⁷ Washington, oral history interview.

Topeka, who was a beneficiary of the *Bolling v. Sharpe* case that was part of the *Brown v. Board of Education* decision. Three members of the Brown family took part: Brown Henderson, her sister, Linda Brown Thompson, and their mother, Leola Brown Montgomery, followed by Deborah Dandridge, a Topeka native and archivist at the University of Kansas Library. Other speakers included NPS Historian Harry Butowsky; Robert DeForrest, president of the Afro-American Institute for Historic Preservation and Community Development in Washington, DC; Paul Wilson, who argued the State of Kansas' position before the Supreme Court case in *Brown v. Board of Education*; and former NAACP Legal Defense Fund lead counsel Jack Greenberg.

Each participant gave an introduction to his or her background and association with the *Brown v. Board of Education* case. This was followed by a wide-ranging discussion of ways to talk about the site and the history of the case, potential interpretive approaches, and concepts that the participants thought should be conveyed to visitors. Though each participant brought his or her own perspective to the situation and each emphasized different aspects, all agreed on the need to place the *Brown v. Board of Education* decision in a broad historical context, including the efforts to more perfectly live out the ethos of the Declaration of Independence, the efforts toward self-determination on the part of African-Americans, and the history of legal challenges to the prevailing laws that mandated segregation and discrimination extending back to the nineteenth century. It was a remarkable gathering of national and regional leaders who had thought widely about issues of race, segregation, legislation, and civil rights activism and who brought their experiences to bear through a far-reaching discussion on the question of how best to convey the story represented by the *Brown v. Board of Education* decision to the visiting public. It was a tribute to the combined efforts and clout of the Brown Foundation and NPS that it occurred.

In addition to significant assistance with the Interpretive Themes workshop, the Brown Foundation also planned and hosted an annual symposium on the *Brown v. Board of Education* decision and its relevance to the civil rights issues of the day. The first symposium was held in May 1994, to commemorate the 40th anniversary of the decision. Like the Interpretive Themes workshop six months earlier, the first Brown v. Board symposium brought together regional and national leaders, though in a more structured conference format. The Brown Foundation began planning for this symposium in 1993, and, by early 1994, announced that Julian Bond had been confirmed as the main speaker. Bond was a long-time civil rights activist who had been involved in the creation of both the Student Nonviolent Coordinating Committee in the 1960s and the Southern Poverty Law Center in 1971, later serving as a state legislator in Georgia before being named chairman of the NAACP in 1998. In addition, the Brown Foundation arranged for the keynote panelists Little Rock Nine member Ernest Green, and Jack Greenberg, former head of the NAACP Legal Defense and Educational Fund, Inc. and member of the *Brown v. Board of Education* legal team.¹²⁸

The park hosted a complementary event on May 17, 1994, to commemorate the 40th anniversary of the *Brown v. Board of Education* decision. National Park Service Director Roger

¹²⁸ Brown Foundation Board of Directors Meeting—Minutes for January 8, 1994; Brown Foundation collection, KSRL, RHMS No. 1449, Box 1, Folder 36. The program for the symposium, which identifies all featured speakers, is in files of Brown v. Board of Education NHS. Additional information on the 1994 Symposium in Brown Henderson, 2022.

Kennedy gave the keynote address, which also featured Brown Henderson and Martin Rosen, president of the Trust for Public Land, co-sponsor of the event. Representatives from the local and regional press were well-represented at the event. The program was held at Monroe School, which NPS had only recently acquired with the assistance of the Trust for Public Land. Although unrestored, park staff provided tours of portions of the building for the public who attended.¹²⁹ Sändra Washington drew upon maintenance staff from Harry S Truman NHS, Homestead National Monument of America, and Fort Scott NHS to help prepare the grounds, and Lincoln Boyhood National Memorial loaned the new park a large NPS logo arrowhead to be mounted on the front door of Monroe School for the event.¹³⁰ The combination of these two programs—the Brown v. Board Symposium and the 40th Anniversary celebration at Monroe School, on which NPS and the Brown Foundation collaborated, showed the ability of these partners to connect the story of Brown v. Board NHS to local, regional, and national leaders and garner widespread attention. Chief of Interpretation Tyrone Brandyburg, who succeeded Robin White in October 1997, recalled that the Brown Foundation’s symposia of the late 1990s were particularly effective for increasing awareness of the park. Brandyburg explained that

the notoriety and the number of people that we had that were more informed about what was going on with the Brown story. And also, with the amount of information that was being disseminated out because of just the nature of the park. The park was not open. We didn’t have a lot of visitors coming, but, through the symposium, we were able to get that story out.¹³¹

The Brown Foundation clearly was a vital component of the park’s interpretation and outreach program from the outset, and park staff worked closely with members of the Foundation to achieve many of the park’s goals and priorities. The park and the Brown Foundation coordinated their activities primarily through a series of cooperative agreements from 1993 to 2011. The story of the relationship between the park and the Foundation continues in Chapter 4.

¹²⁹ NPS Press Release, May 1994; files of Brown v. Board of Education NHS, K3415.

¹³⁰ Letters of thanks from Sändra Washington to the several parks are dated June 6, 1994; files of Brown v. Board of Education NHS.

¹³¹ Tyrone Brandyburg, oral history interview, March 16, 2020.

Chapter 4: The Brown Foundation and Cooperative Agreements

The origins and history of Brown v. Board of Education NHS is thoroughly entwined with the Brown Foundation for Educational Equity, Excellence and Research. As discussed in Chapter 2, the Brown Foundation was created in October 1988 by Cheryl Brown Henderson as a way to continue the legacy of the *Brown v. Board of Education* Supreme Court case and to foster a more complete understanding of its history. Brown Henderson, through the Foundation, also was the first to initiate attempts to save the Monroe Elementary School for interpretive purposes. Drawing on her extensive personal network, Brown Henderson was able to encourage the support of state and national Members of Congress for the park's establishment, attending multiple meetings over the years and reviewing the dozens of documents that were part of the site's establishment. Even before the park was established, the Brown Foundation initiated annual symposia and other events to commemorate the *Brown* decision and began giving lectures throughout the nation about the decision's legacy. Once Congress had created the park by legislation and the National Park Service became involved in its development, NPS recognized the immense value that the Brown Foundation brought to planning for the park and assisting in its interpretive program. In particular, NPS drew upon the deep understanding of, and personal commitment to, the case's historical context that Brown Henderson and the Brown Foundation Board of Directors possessed, as well as their unparalleled access to civil rights leaders throughout the nation as it began to develop an interpretive program for the park, including developing concepts and content for the exhibit in the renovated Monroe School that opened in 2004, developing curricula to assist teachers at all grade levels, developing a traveling exhibit, and initiating an oral history program that resulted in nearly 100 transcribed audio tapes. In the years after the park officially opened in 2004, the Brown Foundation raised funds to provide transportation grants for school tour groups, and partnered with park staff in creating programs and tours. In addition, the Brown Foundation and its leaders were experienced in discussing issues pertaining to race, and racial discrimination in American society generally and in education particularly, and have provided training to park staff to help with interpreting the broader story of the *Brown* decision and the struggle for educational equity in America. As Sändra Washington, the park's first Interim Site Manager, recalled, "I didn't think the Park Service was, overall, comfortable dealing with civil rights as an active site. . .it wasn't going to be the easiest topic to enter into."¹³²

The Brown Foundation's deep experience with historical issues of race and the civil rights movement produced a fruitful partnership from the beginning. The Brown Foundation provided the park with national visibility and interpretive content during what are normally quiescent years in a new park's history, when multiple planning studies require NPS staff priority. NPS provided the Brown Foundation with an institutional structure and framework together with not inconsiderable funds for its work to promote the legacy of the *Brown v. Board* case. Ultimately, and unfortunately, disagreements and mutual suspicions regarding financial and managerial accountability and the definition of the roles that the Brown Foundation and the NPS should play in management of the site came to a head following the appointment of Brown Henderson as the park's Superintendent in 2010. Between 2011 and 2014, after Brown Henderson had returned to the leadership of the Brown Foundation and continued to work

¹³² Washington, oral history interview.

toward providing education materials regarding the *Brown* decision, the Department of the Interior's Office of Inspector General (OIG) released two reports highly critical of the partnership, pointing to a lack of adherence to federal financial management rules and codes of ethics pertaining to conflicts of interest on the part of Brown Henderson and the Brown Foundation, and a substantial lack of financial management and oversight together with irregular hiring practices on the part of NPS as the causes of the dysfunction and disagreement. Although none of the irregularities rose to the level of criminal prosecution, and NPS and the Brown Foundation sought to find ways of continuing to work together through 2011, dissension over the investigations and the public nature of the reports led to a rupture in the relationship.

Chapter 3 discussed the first cooperative agreement between NPS and the Brown Foundation, which was executed in September 1993. Under this agreement, the Brown Foundation coordinated extensively with Chiefs of Interpretation Robin White and Tyrone Brandyburg, and Superintendents Sandra Washington, Ray Harper, and Bess Sherman, providing much of the park's off-site interpretation and developing traveling exhibit and interpretation materials. As both White and Brandyburg recalled, this was a positive and productive relationship throughout the initial five-year agreement.

Early Conflicts and a New Cooperative Agreement

Although the park, the Midwest Regional Office, and the Brown Foundation had a strong working relationship, there were occasional episodes of disquiet. A dispute that arose very early in the first cooperative agreement was, fortunately, settled with little strife. In February 1994, shortly after the initial appropriation was disbursed to the Foundation according to the terms of the cooperative agreement, Interim Site Manager Washington proposed to Regional Director William Schenk that the Foundation, in addition to working with the park through the cooperative agreement, also serve as the park's cooperating association. This would give the Brown Foundation the added responsibility to manage an educational bookstore on behalf of the park.¹³³ Washington had already held discussions with Brown Henderson about the arrangement and included a cooperating association agreement signed by the Brown Foundation in her proposal to Schenk. In April, Brown Henderson informed the Foundation's Board of Directors that the Foundation "has a contract to run the sales outlet (gift shop) once the Park opens."¹³⁴

The Regional Office, however, soon raised concerns about the Brown Foundation serving as a cooperating association while also receiving funds through a cooperative agreement, particularly regarding potential conflicts of interest. After hearing of the Regional Office's concerns, Brown Henderson made direct contact with the Coordinator for Cooperating Associations in the NPS Washington Office. This office, she informed Regional Director Schenk, provided information that "clearly stated that there would not be a conflict with prior or other agreements."¹³⁵ In response to ongoing concerns from the Regional Solicitor, however, in mid-June, the Foundation converted one of its subsidiary groups, the Brown Institute, into a separate entity with its own bank account. This approach, she assured Schenk, was fully in line

¹³³ Memorandum, Interim Site Manager, Brown v. Board of Education NHS to Regional Director, February 24, 1994; files of Brown v. Board of Education NHS.

¹³⁴ Brown Foundation Board of Directors Meeting—Minutes for April 23, 1994; Brown Foundation collection, KSRL, RHMS No. 1449, Box 1, Folder 36.

¹³⁵ Cheryl Brown Henderson to Bill Schenk [sic], June 1, 1994; files of Brown v. Board of Education NHS, A42.

with other groups in a similar position as the Foundation's.¹³⁶ In July, responding to the Regional Office's concerns and in conjunction with providing information about the Brown Institute, the Brown Foundation's Chairman Richard O'Brian and Treasurer Clyde Howard asserted that they were

at once puzzled, discomfited and saddened that the National Park Service did not disclose to us any concerns about a conflict of interest when the Foundation signed the Cooperative Agreement and the agreement to become a cooperating association. In developing and signing the agreements, we relied in good faith on the advice and counsel of your predecessor and members of your current staff.

Neither this advice, nor what they could learn from reading NPS guidelines on cooperative agreements and cooperating association, they contended, "imply or state directly that a conflict of interest arises if a cooperator also has an agreement."¹³⁷

Regional Office staff, including Regional Chief of Interpretation Warren Bielenberg, who also served as the Regional Cooperating Association Coordinator, worked with Interim Site Manager Sandra Washington and incoming Superintendent Ray Harper through July to draft a response to the Brown Foundation's complaint regarding a lack of clarity. In late August 1994, Schenk finally responded to Brown Foundation Chairman O'Brian, apologizing for the confusion regarding the cooperating association. It had been premature, he explained, for his staff to have raised the issue of a cooperating association. The park remained in planning mode, he told O'Brian, and NPS needed the assistance of the Brown Foundation regarding the GMP and the interpretive plan. The interpretive plan, he explained, would provide guidance on how best to meet the themes identified in the GMP, which likely would include a retail outlet with interpretive and educational materials. Work on the interpretive plan would not begin in 1995, and any discussions regarding a cooperating association should wait until that process was complete. Schenk then announced that he planned to meet with Superintendent Harper, Brown Henderson, and members of his staff in the coming month to discuss the issue.¹³⁸ The selection of a cooperating association then lay dormant throughout the rest of the planning period.

The question of the cooperating association appears to have been primarily a case of misunderstanding, but more substantive questions came to the fore in 1998, when the term of the first cooperative agreement was coming to an end, and a new agreement had to be negotiated. Discussions began in April when the Brown Foundation requested that the annual line-item budget of the cooperative agreement be increased from \$107,000 (\$102,000 from the Regional Office and \$5,000 from the park's operating budget) to \$140,000. The stated reason for the proposed budget increase was to expand the off-site visitor experience and interpretive program, and to "Allow the site to function as an interpretive unit in advance of the rehabilitation of the site facility." The Brown Foundation also proposed to expand their coordination among the four

¹³⁶ Henderson to Schenk [sic], June 15, 1994; see also Memorandum, Henderson to Schenk [sic], July 11, 1994, which included a list of the Brown Institute's Advisory Committee and the Brown Institute's Operating Guidelines and Procedures; files of Brown v. Board of Education NHS, A42.

¹³⁷ Richard O'Brian and Clyde Howard to Bill Schenk [sic], July 8, 1994; files of Brown v. Board of Education NHS, A42.

¹³⁸ William Schenk to Richard O'Brian, August 26, 1994; files of Brown v. Board of Education NHS, A42. See also email from Sandra Washington to Warren Bielenberg, incorporating comments from Ray Harper, July 22, 1994; files of Brown v. Board of Education NHS, A42.

other locations associated with the *Brown v. Board of Education* decision. An NPS briefing report that outlined the funding request also argued that the Brown Foundation, amid “staff fluctuations for this site,” provided stability and continuity.¹³⁹

Before contemplating the budget for the new cooperative agreement, however, the park and the Regional Office needed to recast the agreement in line with current NPS management guidelines. By the spring of 1998, having completed its GMP in August 1996 after extensive reviews and occasional contention among NPS offices, the park had only recently gone through the planning process for a Strategic Plan. The development of a Strategic Plan for individual parks was a relatively new requirement within NPS. *Brown v. Board of Education* NHS was created shortly before what some in NPS dubbed the “Performance Management Revolution.” Inspired by new approaches to management developed in the private sector in the 1970s and 1980s and codified in the Government Performance and Results Act of 1993 (GPRA), this approach to management focused on measuring performance against clearly identified long-term and short-term goals, with evaluations of individual and corporate results and outcomes based on measurable criteria. NPS developed its own approach to the new performance mandates of GPRA in the mid-1990s that required the development of Strategic Plans, Annual Performance Plans, and Annual Performance Reports tailored to the needs and goals of individual units of the National Park System. Rather than a traditional focus on specific activities and issues, NPS began requiring park staff to define more clearly their particular missions and to develop identifiable goals and results that would help them to achieve their missions. NPS first developed a service-wide draft Strategic Plan in 1997 and finalized it in early 2000. In 1998, Congress passed the National Park Management Omnibus Act requiring all units of the National Park System to create appropriate management documents consistent with GPRA.

The parks and regional offices not only had to comply themselves, but they had to pass on the requirement for goal-driven performance metrics to their cooperating partners through cooperative agreements. Staff from the park met with Brown Henderson in late June 1998 to discuss changes to the cooperative agreement. Superintendent Bess Sherman, who had replaced Superintendent Harper in September 1996, explained the new requirements to Brown Henderson, which featured an “Eight-Step process” that included the definition of a mission, an annual report, the establishment of project-related goals, and the emphasis on specific and quantifiable outcomes. The new cooperative agreement, she explained, would be based on projects to which the park and the Foundation would agree. As part of the new approach to project-based management, Sherman requested that Brown Henderson prepare a list of the Brown Foundation’s projects as identified in the existing cooperative agreement that would not be completed by the time it expired. Sherman also relayed to Brown Henderson the decision from the Regional Office that the funding for the new cooperative agreement would remain the same, a line-item appropriation of \$102,000.¹⁴⁰ In a follow-up meeting later that month, Sherman with her staff, and Brown Henderson with another Foundation board member, discussed the extensive

¹³⁹ Briefing Memorandum, *Brown v. Board of Education* National Historic Site, April 1998; files of *Brown v. Board of Education* NHS.

¹⁴⁰ Memorandum, Superintendent, *Brown v. Board of Education* NHS to Dave Given, Deputy Director, Midwest Regional Office, July 2, 1998; files of *Brown v. Board of Education* NHS, A40. See also response from Cheryl Brown Henderson to Dave Given acknowledging the meeting summary, July 29, 1998; files of *Brown v. Board of Education* NHS, A40.

new paperwork that would be required and the Brown Foundation's proposed list of projects. As Sherman noted, "None were agreed upon," and Chief of Interpretation Brandyburg agreed to assist the Brown Foundation with a new project list. With regard to the paperwork, which was far more extensive given the additional reporting and documentation requirements of GPRA, Sherman explained that NPS "needed to have a cost breakdown for every penny allotted to them for review by any interested individual or community." Sherman agreed to provide the Brown Foundation with a computer disc copy of the forms to help with their preparation.¹⁴¹

The Brown Foundation regularly asserted that the park was not providing sufficient guidance regarding the new GPRA financial and project management reporting requirements for the cooperative agreement and that they needed more time to prepare the necessary documents. Given the difficulties which the Brown Foundation experienced preparing the paperwork necessary for compliance with GPRA, including the development of Annual Work Plans and staffing allocations, Superintendent Sherman requested that the term of the existing cooperative agreement be extended by six months to March 31, 1999. This extension, she explained, would also give the park and the Brown Foundation additional time to reach an agreement regarding a list of projects that could be included in the new cooperative agreement.¹⁴²

The Regional Office granted the extension, and meetings between the Brown Foundation and NPS continued through the fall of 1998. At the same time, public notifications about the proposed cooperative agreement were drawing the attention of citizens in Topeka, who requested a public meeting in October 1998 to learn more about what the Brown Foundation was doing under the cooperative agreement and how they could become more involved in the park. In late October 1998, Midwest Support Office (MWSO) Superintendent Linda Witkowski traveled to Topeka to attend a meeting between park staff, Cheryl Brown Henderson, and Brown Foundation board member Carol Vogel. The meeting had two purposes: define the projects that the Foundation could complete by the end of 1998 and settle on a budget for the one-quarter extension to the original cooperative agreement that the Midwest Regional Office had granted. Witkowski's trip report for the meeting was the first to put into the written record early concerns by NPS staff, particularly Superintendent Sherman, that the work being done by the Foundation was not commensurate with the funds appropriated and disbursed to them through the cooperative agreement.¹⁴³

Park staff, Brown Henderson, and Vogel came to quick agreement on two projects that could be completed by the end of the calendar year: producing training materials for park staff and other historians to better understand the educational experiences of African Americans and making tapes and transcripts from the oral histories that the Brown Foundation had already completed available for research. There was no agreement on a third project that the park requested, however: a State of Kansas curriculum-based teachers' guide as part of the NPS' Parks as Classrooms program. The Brown Foundation had included the development of a

¹⁴¹ Memorandum, Superintendent, Brown v. Board of Education NHS to Dave Given, Deputy Director, Midwest Regional Office, August 7, 1998; files of Brown v. Board of Education NHS, letters from Brown Foundation.

¹⁴² Memorandum, Superintendent, Brown v. Board of Education NHS to Regional Director, Midwest Regional Office, September 12, 1998; files of Brown v. Board of Education NHS, letters from Brown Foundation.

¹⁴³ Memorandum, Superintendent, Midwest Support Office to Regional Director, Midwest Region, November 4, 1998; files of Brown v. Board of Education NHS, letters from Brown Foundation.

curriculum guide in the last four of its annual lists of proposed projects, but, as Chief of Interpretation Brandyburg explained, the curriculum work that the Brown Foundation had done was not prepared to the standards of the State of Kansas. Work on the curriculum, he recalled, “got really bogged down because, again, there was the Brown Foundation saying ‘These are the things that we have. This is what we’ve been giving. This is what we’ve been doing for years and years.’ And then the Park Service would say, ‘No. . .do it differently because this is the format we’re using.’”¹⁴⁴ Superintendent Sherman developed a list of eight themes that the curriculum should address, but Brown Henderson stated that the Brown Foundation would be unable to prepare the guides for all of them by the end of the year. As Witkowski observed, Brown Henderson was not opposed to doing the work, but, with only two employees, believed that the Foundation could not produce the guides in such a short period of time. Witkowski suggested that the Foundation investigate drawing upon either volunteers or contractors with educational experience to assist them. Brown Henderson agreed to that, and she and Vogel, as well as the park staff, also agreed to continue to try to find ways to incorporate a series of incremental milestones over the course of a year or more that would allow the project to move forward within the GPRA requirements for goal-based deliverables and schedules. In the meantime, to have a third deliverable by the end of 1998, Brown Henderson proposed that the on-going provision of park-related outreach programs by the Foundation serve this need. Park staff agreed to this suggestion.¹⁴⁵

The second topic regarding funding for the cooperative agreement was even more thorny. Superintendent Sherman expressed her concern “about the identification of the majority of funding as being earmarked for salaries and benefits for Foundation staff,” noting that the budget as proposed by the Brown Foundation specifically designated relatively little to items that could easily be identified as project support.¹⁴⁶ For each year of the existing cooperative agreement, the Brown Foundation had presented to NPS a budget narrative and a statement of accounts which substantiated Sherman’s concerns. In 1995, for example, of the \$107,000 budget, \$77,398 was designated as salaries and benefits for Brown Henderson as Executive Director and her sister, Linda Brown Thompson, as Program Associate. In 1996, that figure rose to \$85,826, and in 1997 fell to \$81,502. The remaining portions of the budget were for interpretive programming, including the annual symposium, curriculum development, bibliographic research, oral histories, and work on exhibits, together with costs for office supplies, accounting services, mail and telephone expenses, photocopying, and maintenance.¹⁴⁷ In an aside by Witkowski in her report, she commented that “missing from the Foundation’s quarterly budget submittal is any indication of what the Foundation brings into the agreement. On the surface, it appears that the Foundation is wholly supported by Federal funding.” She suggested that “it would be good to ask the Foundation to provide budget information on the value of what it brings into the agreement” such as volunteer hours or donations in-kind from Foundation supporters. This concern was not brought up in the meeting between park staff and the Brown Foundation. Instead, Brown Henderson and Vogel agreed to revise the budget to reflect the percentages of salaries and

¹⁴⁴ Brandyburg, oral history interview.

¹⁴⁵ Memorandum, Superintendent, Midwest Support Office to Regional Director, Midwest Region, November 4, 1998; files of Brown v. Board of Education NHS, letters from Brown Foundation.

¹⁴⁶ Ibid.

¹⁴⁷ Budget narratives for FY 1995 and FY 1996, together with a summary of accounts for FY 1997, are located in files of Brown v. Board of Education NHS.

benefits that could be attributed to each project. Witkowski returned to her concern, however, in the conclusion to her report, pointing out that “still to be resolved is the issue of separating program activities the Foundation undertakes on behalf of the park and those it performs for its own existence. The potential for appearances of conflict of interest by Foundation staff are significant.”¹⁴⁸

Park staff and the Brown Foundation grew increasingly frustrated with the process and each other through November and December 1998, with accusations on both sides of delay and failure to communicate. The Brown Foundation sought additional information on preparing budgets and cost analyses to comply with the new regulations pertaining to cooperative agreements and requested sample agreements from other parks. On November 19, 1998, this frustration was manifested when Brown Foundation Treasurer Clyde Howard formally submitted a Freedom of Information Act (FOIA) notice to the park, requesting budgets and cost analyses for FY 1997, 1998, and 1999, any other FOIA requests that the park had received during that time, the FY 1999 Annual Performance Plan, and any minutes or correspondence among NPS staff and community groups that affected any decision pertaining to the Brown Foundation. At the same time, Superintendent Sherman provided the Brown Foundation with a draft cooperative agreement with a proposed list of projects for their review, about which discussions continued into December. On December 12, 1998, MWSO Superintendent Witkowski returned to Topeka to attend a meeting of the Brown Foundation, at which the local representative of Senator Sam Brownback (R-KA) was also present.

The meeting had three purposes: first, to allow Witkowski to explain the NPS process; second, to identify the issues between NPS and the Brown Foundation regarding the cooperative agreement; and third, to discuss the Foundation’s vision for the future. Brown Foundation board members identified for Witkowski several topics of disagreement, both particular and general. Some objected to the term of the new cooperative agreement being changed from five years in the old agreement to one year with renewals up to five years; Witkowski explained that this was now the standard practice throughout NPS and was not evidence of a lack of confidence in the Brown Foundation. Others wanted more details on the steps necessary for the park to be fully operational and what the Brown Foundation could do to help with that, and several cited dissatisfaction with what they saw as the burdens of the new GPRA requirements, lack of support from NPS to help them comply with the paperwork needs, and conflicting messages from NPS as to whether GPRA even applied to cooperative agreements to explain their disquiet. The general mood of those who were present was pessimistic. Their complaints were legion and included a perceived lack of trust on the part of NPS and the park staff, a lack of appreciation for the work that had been done, and a sense that the park had done little to foster a collaborative relationship. They expressed the feeling that the park was too controlling in managing the agreement and the belief that the Brown Foundation and individual members had been libeled in correspondence between Superintendent Sherman and Deputy Regional Director Given with insinuations of misuse of government funding. There was reluctance to attempt to continue to move forward, many of the Foundation members feeling that the Brown Foundation was unable to work effectively with the park staff. Others, however, requested a mediator to help to settle the

¹⁴⁸ Memorandum, Superintendent, Midwest Support Office to Regional Director, Midwest Region, November 4, 1998; files of Brown v. Board of Education NHS, letters from Brown Foundation.

issues and “clear the air,” so that the new cooperative agreement could move forward.¹⁴⁹ This was accomplished when the Regional Office directed Marty Sterkel, with the Land and Water Conservation Fund, to conduct an arbitration between the Brown Foundation and the park.¹⁵⁰

Confusion and miscommunication continued through December 1998 and into January 1999 regarding the completion dates for the ongoing projects and the GPRA requirements for financial analyses which, according to Brown Henderson, the Regional Office eventually advised the Foundation not to complete because it was intended for the internal NPS administration requirements, not the partner group.¹⁵¹ In the meantime, the Brown Foundation’s FOIA request from November 1998 continued to make its way through the Regional Office. Superintendent Sherman was unable to locate any documents pertaining to minutes or correspondence that specifically affected the relationship with the Brown Foundation, and, in mid-January 1999, the Region’s FOIA Officer forwarded this negative response to Brown Foundation Treasurer Clyde Howard. In early February, Howard appealed to the Department of the Interior (DOI) FOIA Appeals Officer, but Regional Director William Schenk repeated and supported the park’s inability to locate any documents that matched the Foundation’s request. The only complication, Schenk added, was that, in early November 1998, an attorney in Topeka, Joseph D. Johnson, had written to request information pertaining to the cooperative agreement, including financial statements. The Regional Office on December 11, 1998, replied with a copy of the original 1993 cooperative agreement and the budget summaries provided to NPS by the Brown Foundation. It was not a FOIA request, and Schenk asserted that the correspondence had no impact on the relationship between NPS and the Brown Foundation.¹⁵² The DOI Appeals Officer replied to the Brown Foundation relating both the negative response of inability to locate any of the requested documents and the response to the Topeka attorney. The Brown Foundation again appealed this negative response, seeking any other information pertaining to the meeting with Johnson and information that was revealed to him. Again, based on information provided by Regional Director Schenk, the DOI FOIA officer replied with a final negative response on May 7, 1999, closing the issue.¹⁵³

As the FOIA request and appeals wound their way through NPS and DOI, the Brown Foundation and park staff were able to come to an agreement on a project list and schedule for the new cooperative agreement. No records of the correspondence or negotiations during January and early February 1999 have been located for this report, but, in mid-January, Chief of Interpretation Tyrone Brandyburg prepared a revised Scope of Work for two key projects for the new agreement: production of materials in support of an interpretive program and a finding aid

¹⁴⁹ Memorandum, Superintendent, MWSO to Deputy Regional Director, Midwest Region, December 14, 1998; files of Brown v. Board of Education NHS, letters from Brown Foundation. This collection also includes multiple memoranda and emails among Superintendent Sherman, Deputy Regional Director Given, and Cheryl Brown Henderson throughout November and early December.

¹⁵⁰ Theora McVay, oral history interview, February 26, 2020.

¹⁵¹ Brown Henderson, 2022.

¹⁵² Memorandum, Regional Director, Midwest Region to Freedom of Information Appeals Office, Department of the Interior, February 23, 1999; files of Brown v. Board of Education NHS, A7221.

¹⁵³ The letter from Attorney Joseph Johnson, dated November 19, 1998, and the response from Regional FOIA Officer Florence Six, dated December 11, 1998, are attached to a single package of documents that constitute the appeal by Brown Foundation Treasurer Clyde Howard, dated March 30, 1999. The matter was closed when Regional Director David Given forwarded the response from the DOI FOIA Officer to Howard on May 7, 1999; files of Brown v. Board of Education NHS, A721.

for the oral history tapes and transcripts.¹⁵⁴ Finally, in late February 1999, the Brown Foundation and NPS executed the new cooperative agreement. The principal portion of the agreement was similar to the original document, though the term was defined as one year that could be extended in one-year increments for a total of five years. The new cooperative agreement also provided a more detailed description of what “substantial involvement” by NPS would entail, including review and monitoring of program objectives, providing oversight, direction, monitoring, and assistance for the several projects identified later in the agreement, and NPS participation in the selection of contractors and hiring of Foundation employees under the agreement except for the Foundation director and personal staff. The cooperative agreement also required quarterly performance results tied to the agreed-upon goals and to cost data for the computation of unit costs and designated NPS staff to review the quarterly performance results before approval of payments for the next quarter.¹⁵⁵

Superintendent Stephen Adams entered on duty in December 1999, replacing Bess Sherman, who transferred to the position of Deputy Superintendent of the Central Alabama Group. As Adams recalled, Superintendent Sherman had overseen the initial development of exhibits and rehabilitation planning, and he was hired partly to oversee the completion of the physical rehabilitation of Monroe School and the creation and installation of the interpretive media.¹⁵⁶ Prior to his arrival, Adams was briefed on the strained relationship with the Brown Foundation over the previous several years by Interim Superintendent John Neal, who served in that capacity on temporary duty during the tenure of Superintendent Sherman. As Adams recalled the conversation, Neal told him of the Brown Foundation’s perspective:

‘[T]hey’re very interested in the project, they’re very interested in how the story’s going to be told, and they want people to listen to them and treat them as equal partners.’ And so, we talked for quite a while, and he said, ‘You know, that’s all they want. They’re not trying to run the park or make the decisions. They want to be part of the process, they want to be consulted, and they want to be listened to seriously. And they haven’t been able to get that under one of the previous Superintendents.’¹⁵⁷

After he was hired for the position but before he officially began work, Adams traveled to Topeka to meet with Brown Henderson, hoping to clarify the problem of communications between NPS and the Brown Foundation. During their meeting, he recalled, “she told me what her perspective of the communication problem was and how, from her perspective, it could be easily fixed. And it was so simple.” As a result, “I remember, we hit the ground running in January [2000]. . . it was non-stop until the day after the Grand Opening [in May 2004].”¹⁵⁸

¹⁵⁴ Memorandum, Chief of Interpretation, Brown v. Board of Education NHS to Superintendent, Brown v. Board of Education NHS, January 11, 1999; files of Brown v. Board of Education NHS, letters from Brown Foundation.

¹⁵⁵ A copy of the executed cooperative agreement (ID no. 1443CA6000990001), signed by Cheryl Brown Henderson for the Brown Foundation, Bess L. Sherman for the park, and Theora McVay as MWRO Contracting Officer, who provided the final signature on March 1, 1999, is located in files of Brown v. Board of Education NHS, A42.

¹⁵⁶ Stephen Adams, oral history interview, May 27, 2020.

¹⁵⁷ Ibid. The reference was to Superintendent Bess Sherman, who declined to provide an oral history interview for this project.

¹⁵⁸ Ibid.

The Third Cooperative Agreement

The second cooperative agreement was executed in early 1999, for a one-year term renewable for up to four more years. As discussed more fully in Chapters 5 and 6, this was a productive period in which NPS and the Brown Foundation were focused tightly on planning for the opening of Monroe School with an exciting and comprehensive interpretation program. This five-year term ended in early 2004, as plans for the Grand Opening were in their final and most intense phase. During this hectic period of final planning, the Brown Foundation and the park began negotiations regarding the third cooperative agreement in early 2004 with a meeting in early March. Brown Foundation President Brown Henderson proposed a new list of activities for the next cooperative agreement later that month. These included conducting summer institutes for teachers and policy makers on the role of education in supporting democracy, expanding and promoting the Foundation's traveling exhibits program to include exhibits on all five of the cases combined under the *Brown* decision, developing and implementing training opportunities for graduate students on the history and impact of the *Brown* decision, assisting with the development of a Civil Dialogue curriculum, and supporting the park in the recruitment of volunteers.¹⁵⁹ In June 2004, shortly after the Grand Opening of the park, the Brown Foundation summarized the initiatives and included additional tasks such as promoting the park to schools as far away as Kansas City, targeting rural school districts for diversity education and race dialogue, and expanding the curriculum goals to include all age ranges.¹⁶⁰

Work on the new cooperative agreement was delayed in the spring and early summer, first by the Grand Opening in May and then by a transition in leadership at the park. After serving as Superintendent through the rehabilitation of Monroe School, the task that he was assigned when he took the position, and celebrating the success of the project at the park's Grand Opening, Stephen Adams transferred to the Lewis and Clark National Historic Trail as Superintendent in July 2004. He was replaced by Dennis Vasquez, a former NPS Chief Naturalist and Superintendent who was then working at Harpers Ferry Center with temporary duties at the NPS Washington Office. One of Vasquez's first tasks was to formalize the first budget for the park after the Grand Opening, one component of which was funding the cooperative agreement with the Brown Foundation. In early August, he provided a justification for the funding, which he set at \$198,000 per year. He proposed a list of activities for FY 2005, similar to those Brown Henderson and Adams had negotiated earlier in the year, with the addition of a symposium on the quest for equal opportunity on the part of Native Americans, Hispanic Americans, and Asian Americans.¹⁶¹

Although neither the budget request nor its formal approval was located during the present research, the funding that Superintendent Vasquez recommended in August 2004 was in line with what the Brown Foundation received during 2003 and 2004. Year-end financial statements in December 2004 indicate that the Foundation received \$212,890 in calendar year 2003 and \$183,965 in calendar year 2004 from the National Park Service. It is not clear if any

¹⁵⁹ Memorandum, Cheryl Brown Henderson to Steve Adams, March 16, 2004; files of Brown v. Board of Education NHS. See also Brown Foundation Board of Director's Meeting, March 6, 2004; files of Brown v. Board of Education NHS.

¹⁶⁰ Brown Foundation Board of Director's Meeting, June 21, 2004; files of Brown v. Board of Education NHS.

¹⁶¹ Memorandum, Superintendent, Brown v. Board of Education NHS to Midwest Regional Office, August 4, 2004; files of Brown v. Board of Education NHS.

portion of this was a result of their participation in the national 50th Anniversary commission.¹⁶² Clearly, the request for nearly \$200,000 per year to start the third cooperative agreement, nearly double the amount originally budgeted for the cooperative agreement, was in line with recent appropriations.

Negotiations for the third cooperative agreement between NPS and the Brown Foundation continued through the fall of 2004, and, in January 2005, Regional Director Ernest Quintana requested that the DOI Regional Solicitor review the draft agreement for compliance with existing law and policy and provide recommendations for strengthening it. In response, the Regional Solicitor recommended that the cooperative agreement identify the present level of funding, saying that, although funding could be added at a later date, “we agree with the comment that it is presently too open-ended.” The remainder of the draft agreement was approved for legal sufficiency.¹⁶³ When executed three weeks later, the third cooperative agreement did not state the funding level. Instead, it retained much of the same language as the second cooperative agreement that had been in effect since February 1999, including the specification of roles and responsibilities and definitions of “substantial involvement.” The agreement identified twelve programs or sets of activities on which the Brown Foundation would collaborate with the park, several of which were continuations of projects from earlier versions of the cooperative agreement: providing training programs and materials for teachers, particularly in rural areas, expanding and promoting traveling exhibits, conducting more oral history interviews, and assisting the park with completing the transcripts of the oral histories. Other objectives had been discussed during the negotiations in 2004: conduct Summer Institutes for educators and policy makers, prepare training and orientation materials for park staff, develop and conduct educational outreach within a sixty-mile radius of Topeka, plan and co-sponsor a symposium about the experiences of other minorities with regarding to educational opportunities, develop and implement training opportunities for graduate students, and assist with the recruitment and training of park volunteers.¹⁶⁴

Funding for the Third Cooperative Agreement

Funding provided to the Brown Foundation through the second cooperative agreement, from 1999 to 2004, was intended to remain the same as it was through the first cooperative agreement from 1993 to 1998: \$107,000 per year (\$102,000 as a line item and an additional \$5,000 from the park’s operating budget). Beginning in 2002 and 2003, however, in recognition of the greatly expanded range of activities during planning for the 50th Anniversary celebration and the new exhibits, the Brown Foundation received additional funds beyond the base appropriation. In FY 2003, for example, which began in October 2002, the Brown Foundation received \$199,000 through the cooperative agreement, while donations and grants combined for an additional \$80,000 in revenue.¹⁶⁵ In calendar year 2004, the Foundation received \$183,965

¹⁶² In 2003, the Brown Foundation saw revenue of \$69,063 from non-NPS sources including contributions, a grant from the National Black United Federation, program reimbursements, fees for exhibits and slides; in 2004, these same non-NPS revenue sources totaled \$158,839. Brown Foundation Statement of Activities, Year Ended December 31, 2004; KSRL, Brown Foundation Board of Directors Information, RHMS 1449, Box 1, Folder 22.

¹⁶³ Memorandum, Regional Director, Midwest Region to Regional Solicitor, Rocky Mountain Region, January 20, 2005; files of Brown v. Board of Education NHS, A44.

¹⁶⁴ The cooperative agreement, executed on February 11, 2005, is in files of Brown v. Board of Education NHS.

¹⁶⁵ Memorandum, Carol Vogel, Treasurer to Board of Directors, Brown Foundation, June 21, 2004, in Board of Directors meeting minutes, June 21, 2004; files of Brown v. Board of Education NHS.

through the cooperative agreement while receiving another \$148,000 in contributions and grants.¹⁶⁶ Much of this funding came through modifications to the cooperative agreement for specific projects that went beyond the initial list of projects the Brown Foundation had agreed to undertake. Appropriations for the Brown Foundation continued to rise, and, in 2005, the Foundation received a base appropriation of \$247,000. Throughout the three cooperative agreements beginning in 1993, the Brown Foundation operated based on advance payments, requesting one-quarter of the annual amount at the beginning of each fiscal quarter. Beginning with the second cooperative agreement in 1999, these quarterly requests were accompanied by progress reports, which included a summary of activities and a breakdown of salaries and expenses by project in accordance with federal GPRA guidelines.

For FY 2006, the Washington Office initially recommended that funding for the Brown Foundation's cooperative agreement be discontinued "to support higher priorities," but the funding was then quickly restored to \$247,000, with another \$46,517 for NPS special projects.¹⁶⁷ It is likely that a member or members of Congress intervened to replace the Brown Foundation's appropriation, given the relationships that Brown Henderson had developed over the years. In March 2006, for example, Brown Henderson and Foundation Chair Deborah Dandridge announced plans to travel to Washington in July "to meet with Sen. Brownback's staff to discuss the Foundation's appropriation. The Foundation will request to remain at the same level."¹⁶⁸ Earlier in March, Congressman Jim Ryun submitted a request for an appropriation of \$250,000 for FY 2007 for the Cooperative Agreement, although the Foundation's financial report for Calendar Year 2007 showed an appropriation of \$149,715, with another \$51,180 in park project revenue. The revenue rebounded quickly, however. The Foundation's financial report for Calendar Year 2008 shows a total grant revenue of \$309,207 and park project revenue of \$39,783, though it is not specified what portion of that is from the cooperative agreement. The financial report for Calendar Year 2009 shows \$616,661 in total grant revenue, with another \$11,000 in park project revenue.¹⁶⁹

In hiring a new accounting firm to produce their annual financial audits, the Brown Foundation switched to a new financial reporting format in Calendar Year 2007, which continued through 2009. In addition to showing assets and liabilities, revenues and expenses, and cash flow, the reports provided basic analysis along with standardized statements of methods. In all these reports, the accountant included a brief section identified as "Concentrations." In these sections for Calendar Years 2007, 2008, and 2009, the accountant noted that the Foundation received between 85% and 89% of its support from NPS. "In the event this grant is discontinued or severely restricted," the accountant concluded, "the activities of the Foundation might be

¹⁶⁶ Annual Report: Brown Foundation for Educational, Equity, Excellence, 2004-2005; files of Brown v. Board of Education NHS.

¹⁶⁷ FY 2006 Budget Justifications, National Park Service; files of Brown v. Board of Education NHS. See also Treasurer's Report to Board of Directors, Brown Foundation, February 16, 2006; KSRL, RHMS 1449, Box 1, Folder 24.

¹⁶⁸ Brown Foundation Board of Directors meeting minutes, April 22, 2006; KSRL, RHMS 1449, Box 1, Folder 24.

¹⁶⁹ Congressman Jim Ryun 2007 Appropriations Request Form, March 3, 2006; files of Brown v. Board of Education NHS. See also The Brown Foundation for Educational Equity, Excellence and Research, Financial Statements with Additional Information for Year Ended December 31, 2008, and for Year Ended December 31, 2009; files of Brown v. Board of Education NHS.

impaired.”¹⁷⁰ This concern mirrors that expressed by Midwest Support Office Superintendent Witkowski and Park Superintendent Sherman in 1998 during negotiations for the second cooperative agreement discussed earlier in this chapter. Given the level of activity and productivity demonstrated by the Brown Foundation during the second and third cooperative agreements, however, neither Regional nor park staff were inclined to observe, as had Witkowski in 1998, that “still to be resolved is the issue of separating program activities the Foundation undertakes on behalf of the park and those it performs for its own existence. The potential for appearances of conflict of interest by Foundation staff are significant.”¹⁷¹

Cheryl Brown Henderson as Superintendent

Such concerns re-emerged in the wake of Brown Henderson being appointed Superintendent of the park in June 2010. In comments as early as the late 1990s, the Brown Foundation iterated the need for stability in the park’s leadership and park staff more familiar with Topeka. Particularly at the level of superintendents, NPS culture frequently involves periodic relocation. During the first six years of its existence, for example, the park saw the arrival of three permanent and two temporary superintendents, none of whom were from Topeka. As former Deputy Regional Director David Given recalled, after Superintendent Vasquez departed for Washington, DC, in 2009, Brown Henderson “thought maybe it was the right time for her to be Superintendent, and that would have been after the building was restored and with all the exhibits in.”¹⁷²

Superintendent Dennis Vasquez continued the close working relationship that his predecessor, Stephen Adams, developed with Cheryl Brown Henderson and the Brown Foundation. The interpretive and educational staff had also worked extensively with Brown Henderson on myriad programs, events, and educational initiatives since the 1990s. During the restoration of Monroe School, park staff and Brown Henderson identified office space within the building for the Brown Foundation, including herself as president, and an administrative/program assistant. Adams recalled that most of the planning to identify programmatic needs for Monroe School had been completed by the time he arrived in late 1999, but “about the only thing that changed – I don’t know whether it was before I got there or shortly after I arrived – the Regional Director and I were talking about the [Brown] Foundation, and he asked me to, if I could, find a place for them to have an office in the building.”¹⁷³ Park staff, working with the architects, found office space for the Brown Foundation next door to the Superintendent’s office. Vasquez recalled the convenience of this arrangement, since the park and the Brown Foundation worked so closely together:

Cheryl and I were next door neighbors in the office, there. And she didn’t come into the office every day, but she was there most days. And so, we – would have formal, kind of, sit-down meetings but, we had a lot of informal hallway interaction, as well. So, we developed that kind of – and it was always a business professional relationship. . .so, we would kind of feed off each other, but we

¹⁷⁰ Brown Foundation Financial Statements for 2007, 2008, 2009; files of Brown v. Board of Education NHS.

¹⁷¹ Memorandum, Superintendent, Midwest Support Office to Regional Director, Midwest Region, November 4, 1998; files of Brown v. Board of Education NHS, letters from Brown Foundation.

¹⁷² Given, oral history interview.

¹⁷³ Adams, oral history interview.

would always, sort of, manage each other, as well. I might go off on – with some . . . big idea, and she would, maybe, bring me back to a little more of reality.¹⁷⁴

With the Brown Foundation occupying office space in Monroe School, however, the lines between the work of the Foundation and the work of the park blurred even further. Interim Site Manager S ndra Washington, who remained involved with the park after returning to the Midwest Regional Office, recalled hearing of plans to provide the Foundation with office space in the restored school: “when they came into the building, I remember just going, ‘Not my tenure. This was somebody else’s decision.’ And I just thought, ‘Alright, that might be a challenge.’”¹⁷⁵

The challenges of establishing a firm line between the Brown Foundation and the park became even clearer following Vasquez’s departure. Chief of Interpretation David Schafer recalled that Vasquez had hired him in the spring of 2009, but that, as Schafer was driving to Topeka to enter on duty, Vasquez called to say that he was leaving for a temporary duty in Washington. When Vasquez accepted the position with the proposed Museum of the American Latino later that summer, Schafer was asked to serve as the Acting Superintendent.¹⁷⁶ Later in the summer of 2009, the Regional Office began preparations to announce the position, which was then formally announced in December 2009. Cheryl Brown Henderson stated that her interest in serving as the park’s superintendent stemmed from the turnover in staff that she had witnessed during her long association with the site. She was motivated, she recalled,

by the transient nature of Park Service staff. . . . It was like a revolving door, and my thinking was that, since I lived in the city, and because we had worked tirelessly to create the site, I thought being the Superintendent would create some stability. And it seemed reasonable – to step into that role would allow some stability over a period of time without the revolving door and every few years new people coming and going, so I really looked at this as offering some stability to the site.¹⁷⁷

When the position announcement was made public in December 2009, it was an unusual one by federal recruitment standards for being listed under two different job series. One was a merit promotion position (GS-0025, Park Manager) that was open only to current federal employees and authorized relocation costs; the other was an open competitive announcement (GS-0340, Park Manager), open to all U.S. citizens. In addition, the required qualifications for the position as identified in the two series were different: the position that was open to all U.S. citizens required specialized experience equivalent to the next lower grade level, while the position that was for federal employees required experience as a manager in park-related work. The later initiation of an investigation by the Department of the Interior’s Office of Inspector General (OIG) was prompted by an anonymous call, but the unusual nature of the announcement was an important part of the cause for opening and pursuing the investigation. After its initial investigation, the OIG produced a report of its findings in July 2011. The OIG report, citing comments from Midwest Region Human Resources Specialist Shirley Peterson, pointed out that

¹⁷⁴ Dennis Vasquez, oral history interview, June 20, 2020.

¹⁷⁵ Washington, oral history interview.

¹⁷⁶ David Schafer, oral history interview, April 15, 2020.

¹⁷⁷ Brown Henderson, oral history interview.

an announcement for a park superintendent that was open to all U.S. citizens was unprecedented. The recruitment files also showed discrepancies, indicating that the vacancy was first opened as a GS-0340 announcement and then immediately changed to a GS-2205 with no explanation in the files.¹⁷⁸

David Given recalled that he had spoken to Brown Henderson about applying for the position, and that, “while we made no promises to her, we advertised the Superintendent’s job both inside the NPS and to the public at large so she could apply.”¹⁷⁹ The OIG also alleged that the process of interviewing and hiring Brown Henderson for the park superintendent position may have been influenced by Kansas U.S. Senator Sam Brownback, who reportedly called Given on February 4, 2010, urging him to consider Brown Henderson for the position. Given denied for the record that Brownback’s call had any impact on the decision and said that “he told the Senator that Brown Henderson would receive full consideration like any other applicant.”¹⁸⁰

The Regional Office conducted interviews for the position through the early spring of 2010, inviting existing NPS employees, who applied through the federal-only job series, and Brown Henderson, who applied through the open job series. As Given recalled, “When we reviewed the applications, she was, by far, the best applicant.”¹⁸¹ By the time of the interview, many NPS staff at the park, in the Regional Office, and in the Washington Office were concerned about potential conflicts of interest given the close, potentially indissoluble, connection between the Brown Foundation and the park. This concern was based on the longstanding working relationship between the two and the provision of NPS funds to the Brown Foundation through the cooperative agreement, which, by 2009, totaled approximately \$300,000 per year. Moreover, not only was Henderson employed by the Brown Foundation, but her sister, Linda Brown Thompson, was a part-time employee on the Foundation’s staff. Former Interim Site Manager Sandra Washington served on the interview panel for three of the candidates, including Brown Henderson, and recalled warning Given and Regional Director Ernest Quintana “that this was her weak spot.” According to the OIG report, another candidate, from within NPS, was offered the position, but, when that person declined the offer, it was extended to Brown Henderson.¹⁸²

The OIG received its first anonymous complaint pertaining to Brown Henderson in April 2010, after she had been offered the position but before she accepted; the OIG did not reveal the source of the complaint. The allegation was that her selection as Superintendent would create a significant conflict of interest because as the Superintendent of the park that had responsibility to manage funds through the cooperative agreement with the Brown Foundation, she was related to or had close connections with Brown Foundation employees. The OIG then referred the matter to NPS and the DOI’s Ethics Office on April 30. In mid-May, DOI Ethics Counselor Matt Parsons sent an email to NPS Deputy Ethics Counselor Peggy Moran-Gicker with concerns that hiring Brown Henderson might be inappropriate, given Brown Henderson’s relationship to Brown

¹⁷⁸ “Investigative Report: Cheryl Brown Henderson,” U.S. Department of the Interior Office of Inspector General (OIG), June 16, 2011.

¹⁷⁹ Given, oral history interview.

¹⁸⁰ OIG, 4.

¹⁸¹ Ibid.

¹⁸² Ibid.

Foundation employees, the Foundation's financial reliance on NPS, and the overall appearance of conflict of interest. As a result, "it is difficult to see how a Superintendent of the Brown NHS could function if she were recused from participating with the Foundation on particular matters as required by the regulation" pertaining to the cooperative agreement.¹⁸³ Sandra Washington likewise recalled addressing these concerns both during the interview and after the offer of employment was made.¹⁸⁴

Given and Quintana were unconvinced that these concerns outweighed the advantages of having Brown Henderson serving as Superintendent, given her family connection to the *Brown* decision and her long history of supporting the interpretive and educational programs of the park. Over the next several weeks, Brown Henderson and Regional Office staff conducted negotiations regarding how Brown Henderson could serve as Superintendent and avoid conflicts of interest. By early June, the two sides had worked out the details of a recusal agreement, according to which Brown Henderson was barred from involvement with Brown Foundation matters for a period of twelve months, after which the terms of the recusal would be reassessed. In late May, as Brown Henderson's appointment became more certain and, apparently, at the suggestion of the Brown Foundation Board of Directors, Brown Henderson signed an employment right of first refusal with the Board in case she wished to return to her position with the Foundation.¹⁸⁵ Brown Henderson then resigned from her position with the Brown Foundation on June 12, 2010, and entered on duty as Superintendent of Brown v. Board of Education NHS on June 13, 2010.

Brown Henderson's position as Superintendent created a difficult work environment for several members of the park staff, particularly Chief of Interpretation David Schafer. Since Regional staff were not present at the park, they called on Schafer, the senior staff member but who reported to the Superintendent, to ensure that Brown Henderson abided by the terms of the recusal agreement. Schafer, however, was not provided with a copy of the agreement. For her part, Brown Henderson felt constrained by opposition to her being in the position of Superintendent. "[F]actions working very diligently to express their displeasure with my being there," made it "a very difficult position to be where you were not wanted."¹⁸⁶ Brown Henderson was required to go through supervisory training at the Regional level, though she saw the training as minimal, and "more like networking, is how I viewed it even more than training."¹⁸⁷ She traveled to Harry S Truman NHS for a meeting with Superintendent Larry Villalva as part of her introduction to the workings of NPS. As difficulties with the park staff mounted, she sought to engage Washburn University Professor of Psychology Dave Provorse to provide a workshop for park staff on "creating a more positive work environment."¹⁸⁸ For his part, Chief of Interpretation Schafer, despite being in the difficult position of having to oversee aspects of his

¹⁸³ Email, Matt Parson to Peggy Moran-Gicker, May 19, 2010; files of Brown v. Board of Education NHS; see also summary of the email in OIG, 2.

¹⁸⁴ Washington, oral history interview.

¹⁸⁵ OIG, 2-3.

¹⁸⁶ Brown Henderson, oral history interview.

¹⁸⁷ Ibid. See also Memorandum, Human Resources Officer, Midwest Region to Regional Director, Midwest Region, August 26, 2010; files of Brown v. Board of Education NHS, P86.

¹⁸⁸ Email, Henderson to Dave Provorse, July 23, 2010, and reply, Provorse to Henderson, July 26, 2010; files of Brown v Board of Education NHS. See also Henderson to Larry Villalva, July 20, 2010; files of Brown v. Board of Education NHS.

supervisor's work, sought to maintain the normal public face of the park with a steady stream of programs and events.¹⁸⁹

Although she signed the recusal agreement, many NPS personnel at the park and the Regional Office believed that Brown Henderson was continuing to work closely with the Brown Foundation. While professing to abide by the letter of the agreement by not handling any financial matters and avoiding discussions regarding the cooperative agreement or other NPS policy issues, Brown Henderson was inextricably tied to the Brown Foundation, which itself was linked to the park through the long history of working together and the large proportion of the Foundation's revenue that came from NPS through the cooperative agreement. NPS staff at the park and at the Regional Office began noticing instances when Foundation staff or Board of Directors members appeared to be consulting with her on Foundation policy issues. Schafer, for example, recalled a meeting with park and Foundation staff in which Superintendent Brown Henderson directed Foundation staff in particular matters. After the meeting, he confronted Brown Henderson regarding her behavior, iterating the need to maintain a separation between herself and the Brown Foundation. The discussion, he recalled, quickly became antagonistic.¹⁹⁰ Also during the summer of 2010, Regional Contracting Officer Theora McVay had a conversation with the Foundation's Chief Financial Officer; as she recalled, after she made a request regarding the cooperative agreement, an extension of which the park and the Foundation were then negotiating, the Chief Financial Officer's response was "'Well, I'll have to check with Cheryl about that.'" McVay then "called. . .my contact at the Department of Justice and said, 'This guy is checking with the park superintendent before he does things related to this agreement.' Which. . .if she had recused herself, that was not right. It was not correct. It was out of order."¹⁹¹

For her part, Brown Henderson contends that the complaints of park staff shared with the OIG investigators were "petty grievances" that were either taken out of context or blown out of proportion. As Brown Henderson recalled, the park staff focused on her "occasionally bringing brownies shared in the breakroom," seeing her "holding the door when boxes labeled Brown were brought into the site, having maintenance staff transport the Brown v. Board traveling exhibit from storage at the State Historical Society to be stored at the site."¹⁹² She also discounted reports that she attended Brown Foundation Board of Directors meetings, ostensibly in the role of a private citizen. She attended these meetings, she told OIG inspectors later, because of her institutional memory and because she "wanted to respond to any questions the board had during her transition out of the Foundation."¹⁹³ Regional Director Quintana had not given her specific permission to attend Brown Foundation Board meetings, and later regretted her decision to attend, but "was not concerned as long as she did not make decisions regarding Foundation finances."¹⁹⁴

¹⁸⁹ Schafer, oral history interview.

¹⁹⁰ Ibid.

¹⁹¹ McVay, oral history interview. It is likely that she was confusing the Department of Justice with the DOI Office of Inspector General.

¹⁹² Brown Henderson, 2022.

¹⁹³ OIG, 2011, 6.

¹⁹⁴ Ibid., 7.

DOI Office of Inspector General Investigation: 2011

After forwarding the initial anonymous complaint to NPS and DOI Ethics staff in April 2010, the OIG received a second complaint on July 15, 2010, alleging that Brown Henderson was not complying with the recusal agreement. The OIG then referred the matter to NPS law enforcement for investigation, which “supported the allegation and also found that NPS Midwest Region Director Ernie Quintana and Deputy Region [sic] Director David Given pushed to hire Brown Henderson.”¹⁹⁵ The OIG then began its own investigation on August 30, 2010, focusing on the recruitment process. From Brown Henderson’s perspective, it “appeared to be a shocking use of high-level government resources for the purpose of developing a report that intended to discredit the years of work of the Brown Foundation” and of herself in particular. National Park Service staff, she maintains, “wished to have a change in management” following her appointment as Superintendent.¹⁹⁶ This investigation continued throughout the fall and early winter of 2010. On December 1, 2010, Brown Henderson announced that she would resign effective December 31, 2010, “in light of there being no room to truly manage the site with continued anonymous actions to have her investigated,” and begin working again with the Foundation.¹⁹⁷ At that point, the OIG expanded the investigation to incorporate the question of Brown Henderson’s adherence to the recusal agreement.

As part of its investigation, OIG investigators interviewed multiple NPS staff members, including the Regional Director and Deputy Regional Director, the Regional Contracting Officer, the Regional Human Resources Manager, other Regional Office staff members, all members of the park staff, Brown Henderson, and other Brown Foundation staff and Board of Directors members. In addition, the OIG investigators conducted research in files at the Regional Office and the park. It was an intimidating process for park staff who, initially, were not informed of the purpose of the investigation. Administrative Officer Katherine Cushinberry recalled that the process was scary, “Because you don’t know what they’re looking for or what they wanted. We just answered their questions. And you know, they interviewed you, they interviewed everybody. . . They interviewed a lot of people in the park.”¹⁹⁸

With regard to the recruitment process by which Brown Henderson was selected as Superintendent, the OIG report identified substantial problems at the Regional Office level:

We found that the disorganized and incomplete state of the recruitment files, conflicting and confusing statements of Human Resources (HR) personnel, and an alleged endorsement from U.S. Senator Sam Brownback created an appearance that Brown Henderson was provided an unfair preference in the process for selecting the [Brown v. Board of Education] superintendent.¹⁹⁹

The use of a job category that is open to all U.S. citizens was highly irregular; of thirteen recent superintendent recruitments conducted by the Midwest Region, the OIG inspectors found that the Brown v. Board of Education NHS process was the only one that was open to all U.S. citizens. In

¹⁹⁵ Ibid., 3.

¹⁹⁶ Brown Henderson, 2022.

¹⁹⁷ Ibid.

¹⁹⁸ Katherine Cushinberry, oral history interview, May 6, 2020.

¹⁹⁹ OIG, 2011, 3.

addition, the paperwork support for the two different job categories was found to be incomplete in the Regional Office's files.

The investigation into Brown Henderson's recusal agreement was more complicated, given the intricate nature of the relationship between Brown Henderson, the Brown Foundation, her family, and the park. Her mother, Leola Brown Montgomery, sat on the Brown Foundation Board of Directors in an advisory capacity, not as a voting member. Her sister, Linda Brown Thompson, served as a part-time employee of the Brown Foundation as a program assistant. Finally, the OIG report revealed an added complication: Brown Henderson and the Brown Foundation's Chief Financial Officer, Donald Cameron, had, for the past seven years, apparently been involved in an intimate, romantic relationship. Brown Henderson denied that the relationship was intimate, offering that she and Cameron did not share a residence as proof. Brown Henderson and her Attorney Pedro Irigonegaray made clear that the relationship was that of friendship and companionship. OIG investigators asked and were told she lived alone. Cameron's attorney Mike Jones asserted, without knowledge, that the relationship was romantic, though in a separate interview with OIG investigators, Cameron confirmed the romantic nature of their relationship. The relationship alone created a conflict of interest for Brown Henderson as Superintendent under federal ethics guidelines. Although Brown Henderson argued that the presence of other married couples on the park staff who were not similarly subject to investigation created a double standard, the OIG pointed to specific sections in the Code of Federal Regulations (5 CFR §2635.502) regarding personal relationships on matters pertaining to federal employees and the need for agency consultation on the part of employees to avoid both the reality and the appearance of partiality.²⁰⁰

In examining instances when it appeared that Brown Henderson had violated the terms of her recusal agreement, OIG investigators referenced monthly performance reports for October 2010 filed by the Brown Foundation in support of advance payment under the cooperative agreement, with evidence that Brown Henderson was the last person to modify the document. Brown Henderson explained that Cameron may have used her computer while having dinner at her house. She firmly and consistently denied having overseen or prepared the reports or having engaged in any Foundation activities or directed the activities of any Brown Foundation employees. She also asserted that, although she attended Brown Foundation Board of Directors meetings, she did not take an active role and always excused herself from the meetings when the Board discussed matters pertaining to NPS.²⁰¹

²⁰⁰ Ibid., 2; Brown Henderson provided additional information regarding her understanding of the impartiality rule regarding covered relationships, and the nature of her relationship with Donald Cameron, in her 2022 email to Ron Cockrell. In these comments, Brown Henderson noted that "My concern [was] with the assertions that working with family members was somehow unseemly since NPS hires family members to work side by side in Parks. At Brown [v. Board of Education NHS] there were three married couples working side by side. The Education Specialist and her husband, the Chief of Interpretation worked with his wife who was responsible for the sales outlet (bookstore) through the enterprise that managed several Park site sales outlets (bookstores). And once I resigned the new Superintendent and his husband had office space at the site. I have never understood the double standard." Brown Henderson also pointed out that the OIG removed two of the investigators from the Brown Foundation probe because of reported threats to Brown Foundation staff and Brown Henderson's attorney.

²⁰¹ Ibid., 7.

The principal reason that Brown Henderson's selection as Superintendent of Brown v. Board of Education NHS posed a potential conflict of interest was the cooperative agreement through which NPS provided the Brown Foundation with funding for educational and interpretive programming support. As discussed earlier, the cooperative agreements between NPS and the Brown Foundation were typically renegotiated every five years. The cooperative agreement in place when Brown Henderson was appointed Superintendent had been executed in early 2005 and would expire in 2010, during her tenure. Because of her recusal agreement, Brown Henderson, as Superintendent, was unable to oversee the approval of actions under the existing cooperative agreement, responsibility for which was assigned to Chief of Interpretation Schafer. She was also unable to lead negotiations for the scope of a new agreement, which was put on hold during Brown Henderson's tenure.

With the advent of the OIG investigation in the fall of 2010, Brown Henderson began exploring the possibility of resigning in October and made her decision in November. She announced her decision to the park staff in early December and served until December 31, 2010. The OIG completed its investigation in the spring of 2011, which substantiated the claims of Brown Henderson's conflict of interest and that she continued to engage in Brown Foundation activities despite her recusal agreement, a charge which Brown Henderson continues to refute. In March 2011, the OIG referred its findings to the U.S. Attorney's Office for the District of Kansas, which announced in May 2011 that it did not find anything legally actionable in the OIG results and would not seek prosecution. The lack of anything that was legally actionable was then confirmed in discussions between the U.S. Attorney's Office for the District of Kansas and the Kansas City law firm of Hubbard & Kurtz, which, with the Topeka law firm of Frieden & Forbes, represented the Brown Foundation.²⁰² Immediately after stepping down as park superintendent, Brown Henderson exercised her option to return to the Brown Foundation, resuming her position as president, though at a lower salary.²⁰³

Although Brown Henderson was not allowed to take part in negotiations regarding the new cooperative agreement while she was Superintendent, the Midwest Region and Chief of Interpretation Schafer continued to oversee the work done under the agreement. It was during this period that Schafer, then undergoing training to become an Agreement Technical Representative (ATR) with responsibility to assist contracting officers in overseeing cooperative agreements, came to understand how little oversight NPS had exercised with regard to the Brown Foundation and its cooperative agreement. He observed that the Brown Foundation was operating independently and that NPS was not exercising its responsibilities for "substantial involvement." The Regional Office, he asserted, took a hands-off approach to the Foundation.²⁰⁴ Regional Contracting Officer McVay, meanwhile, recalled that, in her work to administer the park's cooperative agreement,

I was constrained from doing my job. By the politics in the office. So, when I was trying to administer the agreement as a Contracting Officer, there were some things I was told I couldn't do. . . even though they were things that I, as a Contracting Officer, was supposed to be doing."²⁰⁵

²⁰² Brown Henderson, 2022.

²⁰³ OIG, 2011, 12.

²⁰⁴ Schafer, oral history interview.

²⁰⁵ McVay, oral history interview.

Because of the ongoing search for a Superintendent that resulted in Brown Henderson being selected, NPS elected to extend the existing agreement into 2011. In early December 2010, after Brown Henderson announced that she would resign as Superintendent but while she still remained on duty, Regional Contracting Officer McVay contacted the Brown Foundation regarding new financial reporting procedures and requested a meeting that included herself, Chief of Interpretation Schafer as ATR, park Administrative Officer Katherine Cushinberry, and Foundation CFO Donald Cameron and the Foundation's Executive Director.²⁰⁶ In January, before this meeting could take place and with Brown Henderson back in her role as Brown Foundation president, McVay proposed that, since the park was then conducting a search for a new Superintendent who would lead the negotiations, NPS would suspend discussions about a new cooperative agreement. The discussions would resume when a new Superintendent was hired, but NPS would extend the agreement from March 31 to September 30, 2011. The terms and conditions of the existing cooperative agreement would remain the same, and the meeting to discuss the new financial reporting requirements would take place later in January. On January 21, 2011, McVay and Brown Henderson executed the agreement modification.²⁰⁷

At the same time, in early 2011, Schafer and Acting Superintendent Carol McBryant, the Chief of Interpretation at Lewis and Clark National Historic Trail, developed plans for regular meetings with Brown Henderson and the Brown Foundation regarding programs. As part of these meetings, Schafer and McBryant began exercising greater oversight of the Brown Foundation's activities under the cooperative agreement in early February. At Brown Henderson's request, they put their questions in writing, asking for additional specific information regarding progress on History Day Packets, primary grade curriculum, and outreach programs, to which Brown Henderson provided a detailed response. Through the winter and spring of 2011, however, tensions between park staff and the Brown Foundation continued as NPS worked assiduously to implement the requirement to be "substantially involved" in the NPS-related activities of the Brown Foundation under the cooperative agreement. By mid-February, Brown Henderson refused to meet with Chief of Interpretation Schafer in his role as ATR. In mid-April, Acting Superintendent John Madden, Regional Senior Staff Ranger, replied to the Brown Foundation's request for payment for activities from early March to early April by noting that he could approve only \$22,811 of the requested \$28,590. The remaining \$5,779 of the request was for work that the Brown Foundation conducted on the *Brown Quarterly* and the primary grade curriculum projects. The reason for the denial of these expenses was that the "Brown Foundation has not worked collaboratively with the National Park Service" on those two projects. The cooperative agreement, he asserted, "requires the staff at Brown v. Board of Education National Historic Site to be substantially involved with the activities funded under this agreement," which would entail NPS staff being part of the planning process. Park staff, however, "have not been substantially involved in either the development or design of the newsletter or the primary grade curriculum. Review of the newsletter and curriculum after the

²⁰⁶ Theora McVay to Ms. Ray, Brown Foundation, December 10, 2010; files of Brown v. Board of Education NHS. The Foundation Executive Director is referred to as Ms. Ray, no first name given.

²⁰⁷ Theora McVay to Cheryl Brown Henderson, January 21, 2011, with executed agreement modification attached; files of Brown v Board of Education NHS.

fact does not meet the requirements for National Park Service involvement” under the cooperative agreement.²⁰⁸

The OIG report from the investigation into the NPS recruitment process for Cheryl Brown Henderson and her potential conflicts of interest while serving as Superintendent was released on June 16, 2011, and then was posted on the OIG’s website on July 22. In early July, just weeks after the OIG report was released, Superintendent David Smith entered on duty. Smith, with a long background in Western parks as a Ranger and Naturalist, also had a strong interest in civil rights issues. In 2009, he was selected for the NPS Bevinetto Congressional Fellowship Program, through which he served on the legislative staff of the House Natural Resources Committee. While there, Acting Midwest Regional Director George Turnbull approached him about taking on the Superintendent position at Brown v. Board of Education NHS. As Smith recalled, Turnbull told him that “‘We’re having some problems with the Foundation right now, and it’s a very adversarial relationship in the park, and we think that you have the skills that would be helpful to pull down the walls and to have a better partnership.’”²⁰⁹ Smith began receiving emails from Sandra Washington and Regional Director Mike Reynolds even before arriving at the park in early July, as the Region prepared to respond to the OIG report and to coordinate with the Brown Foundation.²¹⁰

DOI Office of Inspector General Investigation: 2012-2014

With Smith arriving just as the OIG report was released, the situation at Brown v. Board of Education NHS was tense and unsettled. Smith entered on duty with the intent of restoring the relationship between the park and the Brown Foundation so that the two could form a true partnership. The situation when he arrived, however, “was untenable,” and quickly became worse. During its investigation in 2010 and early 2011 into Brown Henderson’s potential conflict of interest and failure to adhere to the recusal agreement, OIG investigators also learned of the lack of oversight on the part of NPS to properly administer the cooperative agreement with the Brown Foundation. In addition to their findings about Brown Henderson’s activities regarding the recusal agreement, as Smith described it, the OIG investigators “also made allegations that money had been poorly or illegally spent. So, I knew that there were going to be some issues.”²¹¹

As a result of these allegations, as soon as the OIG report was released, NPS initiated an audit of the Brown Foundation’s handling of funds received through the cooperative agreement. The scope of work prepared by NPS required the auditors to complete a comprehensive financial audit of the Foundation from FY 2009 to FY 2011, focusing on federal funds conveyed by NPS through the cooperative agreement from October 1, 2008, to the date on which the contract for the audit was awarded. The goal was to identify how the Foundation used all federal funds and the procedures by which the Foundation monitored the use of the federal funds. According to the scope of work, the auditors would have access to all park files, to Foundation files, and to the files of the accounting firm that conducted the Foundation’s annual audits, “which failed to

²⁰⁸ John Madden to Cheryl Brown Henderson, April 19, 2011; files of Brown v. Board of Education NHS, A34; see also email, Merrith Baughman to Carol McBryant, February 14, 2011; files of Brown v Board of Education NHS.

²⁰⁹ David Smith, oral history interview, April 24, 2020.

²¹⁰ Chain of emails among Mike Reynolds, Sandra Washington, and Deputy Associate Director of Visitor and Resource Protection Louis Rowe, July 8-12, 2011; files of Brown v Board of Education NHS.

²¹¹ Smith, oral history interview.

provide the level of detail necessary to meeting the NPS's needs."²¹² Sandra Washington was responsible for identifying and hiring an accounting firm to conduct the audit on behalf of OIG. Although the first OIG investigation was conducted by DOI staff, Washington recognized the need to find a private firm that could not be accused of either racial or economic bias. As she recalled, "I said 'We've done the internal stuff. . . So we're going to hire—and if we can we're going to hire them off Section 8[a].' So we did, we hired a team from Los Angeles."²¹³ Section 8a is a program of the Small Business Association that works with socially and economically disadvantaged firms and assists them with securing contracts through the federal government's General Services Administration (GSA).

The day after Superintendent Smith arrived, he attended a meeting with Brown Henderson, Washington, and Regional Director Reynolds. At this meeting, Washington and Reynolds informed Brown Henderson of the OIG-sponsored audit and asked that Brown Henderson provide the Brown Foundation's annual financial audits for the past three years. Brown Henderson, whose office remained in Monroe School, delivered them to Smith with a memorandum. In the memorandum, Brown Henderson also acknowledged the change in how the Brown Foundation would request funds through the cooperative agreement: rather than seeking an advance payment for each quarter as had been the practice from the beginning, the Foundation could now only request reimbursements. Despite the difficult situation, Brown Henderson struck a cordial note, saying that she was looking forward to working with Smith, and that "There are many exciting opportunities ahead to educate students and the public about the immense significance of the *Brown* decision."²¹⁴

Smith and Brown Henderson continued to meet regularly through the summer of 2011 as NPS and the Brown Foundation continued discussions regarding the new cooperative agreement and planning for upcoming programs. For instance, in the summer of 2011, the park and the Brown Foundation were preparing to collaborate on the Gilder Lehrman Institute of American History Summer Teacher Workshop to be held at the Langston Hughes Center at the University of Kansas in late July. The Brown Foundation had contacted and confirmed speakers for the program who could address issues of primary sources for the five cases that were part of the *Brown* decision and arranged for the participants to visit museums in the area. The park would host one day of the event.²¹⁵

At the same time, however, Brown Henderson had written and spoken publicly about her disagreement with the results of the OIG report, suggesting that they were based on personal animosity and hearsay from anonymous sources. Brown Henderson's public stance contributed to a deteriorating environment at Monroe School, where the Brown Foundation continued to

²¹² "Brown Foundation Audit FY 2009-Present: Statement of Work;" files of Brown v Board of Education NHS. In her 2022 comments to Ron Cockrell that were provided to the author, Brown Henderson pointed out that the Brown Foundation's auditors "were not trained by the NPS to provide the level of detail necessary to meeting the NPS' needs."

²¹³ Washington, oral history interview.

²¹⁴ Memorandum, Cheryl Brown Henderson to David Smith, July 14, 2001; files of Brown v Board of Education NHS.

²¹⁵ Memorandum, Cheryl Brown Henderson to David Smith, August 1, 2011; files of Brown v Board of Education NHS. See also "Summer Teacher Workshop, July 24-July 29-2011," Project Reporting Form; files of Brown v Board of Education NHS.

maintain an office. In addition, as Smith spent more time talking to park staff in the summer of 2011, he came to realize the difficulties faced by the staff during Brown Henderson's tenure as Superintendent, which continued in a different vein once Brown Henderson was no longer in a position of authority. As Smith recalled, based on his conversations with the staff,

her tenure as superintendent had really affected a lot of the staff. One thing that was quoted to me a lot is she told the entire staff that, 'You know, if you don't like it here, there are other parks you can go to, and you are welcome to leave right now.' And it was a very disheartening statement for the staff to hear. So, every one of them mentioned that to me during the first two months, that one quote, because it just really scarred them, long-term.²¹⁶

Brown Henderson likewise recalled the conversation but clarified that the comment was made "during an outside facilitated team-building workshop," when she pointed out that it was a benefit of working for NPS that it was possible to work at any number of parks, and that she "truly believed it was a perk of their employment to have so many opportunities across the country."²¹⁷

Smith hoped to maintain the partnership between the Brown Foundation and the park, but he recognized that it needed to be on a different footing. He continued to meet with Brown Henderson in late July and early August but always had in mind the hostile work environment that resulted from antagonisms between Brown Foundation members and NPS staff. In early August, Smith and Brown Henderson had agreed to seek out a neutral mediator in an attempt to reconcile park staff and Brown Henderson, but, at the same time, with the support of the Regional Office, Smith was working toward having the Brown Foundation locate new office space elsewhere in Topeka.²¹⁸ He was also raising questions pertaining to DOI regulations in regard to the findings of the OIG report. Smith had asked Brown Henderson to remove herself from negotiations for the new cooperative agreement, given her recent tenure as Superintendent. Despite this, Brown Henderson recalls having numerous conversations during this period with the Regional Contracting Officer regarding the cooperative agreement.²¹⁹ Additionally, Smith asked in an email to NPS Deputy Ethics Counselor Richard Grant, citing a DOI regulation that bars former NPS employees from financial negotiations with NPS for two years, "Is there anything else that I need to do now—specifically, anything in the next 18 months as it pertains to this law? Since we will be conveying up to \$300K to the Foundation, I continue to have concerns about the public appearance of impropriety." Grant responded that, in continuing to work with Brown Henderson, "the NPS runs the risk that it may appear that the NPS is complicit" in any ethics violations that Brown Henderson may have committed. Ultimately, though, he recommended that it was a management decision as to whether the benefits of working with Brown Henderson and the Brown Foundation outweighed these risks.²²⁰ This was the same

²¹⁶ Smith, oral history interview.

²¹⁷ Brown Henderson, 2022.

²¹⁸ The mediation was conducted by Roxanne Emmert-Davis, MSW, a private facilitator and mediator based in Topeka, on August 16, August 22, and August 26, 2011. See invoice from Emmert-Davis on September 7, 2011, and NPS requisition for payment on September 9, 2011, files of Brown v. Board of Education NHS.

²¹⁹ Brown Henderson, 2022.

²²⁰ Email, Davis Smith to Richard E. Grant, August 2, 2011; reply from Grant to Smith, August 3, 2011; files of Brown v Board of Education NHS.

calculus that Quintana and Given had applied in deciding to move ahead with hiring Brown Henderson as Superintendent.

Smith remained concerned about relations with his staff, and, in early September, he met with Brown Henderson to discuss moving the Foundation to a new office space. He explained that part of the reason for requesting this move was to improve NPS operations and the need for additional office space, since “many of the functions that the Foundation served have since become part of the normal work performed by the National Park Service” as the park’s staff had grown.²²¹ According to a summary of a conversation that he had with Brown Henderson, Smith also emphasized “that [Brown] Henderson’s presence continues to be disruptive to staff.” As proof, he cited “the conclusions generated by the OIG report and the potential ethical and criminal charges raised,” and discussed “the continued history of a non-productive, confrontational work environment between Henderson and the park staff.”²²² Brown Henderson, however, recalled that park staff were hostile toward her and other Brown Foundation personnel, noting that they were locked out of the breakroom, and that “one of our staff members [was] bullied to the point of tears.”²²³

In his correspondence with Brown Foundation Board Chairman and Washburn University Professor of History and Associate Dean Bruce Mactavish, Smith observed that the Brown Foundation could use a part of their annual appropriation to cover all office expenses even if the office was in a different location. He also expressed his hope that by making these changes, coupled with a renewed commitment to open communications and a collaborative annual work plan to direct the Foundation’s efforts, the productive relationship between the Brown Foundation and the park could be rebuilt. When no movement of the Brown Foundation occurred, Smith informed Brown Henderson in a follow-up memorandum that the Brown Foundation would have to vacate its office space in Monroe School no later than December 1, 2011. In response, Mactavish wrote a memorandum in which he refuted the charges of financial irregularities and argued that, since Brown Henderson was no longer in a supervisory position, she was not a threat to the staff. In light of the commitment that Brown Henderson and the Foundation had made to the park over the years, he continued, the Foundation should continue to have an office there. Smith held firm to his decision despite a complaint on behalf of the Brown Foundation filed with the Regional Office by U.S. Representative Lynn Jenkins (R-KS).²²⁴

The combined actions of office relocation, program development, and cooperative agreement negotiations were taking place concurrently with the DOI-ordered audit of the Brown Foundation. In September 2011, the Midwest Regional Office contracted with Jones and Company, an accounting firm based in Fontana, California, to conduct the audit. Audrey Jones, president of the firm, began work in Topeka in late September 2011, and worked extensively in

²²¹ Memorandum, David Smith to Board Chair Dr. Bruce Mactavish, September 9, 2011; files of Brown v Board of Education NHS, A4415.

²²² Timeline and summary of interactions between Smith, Brown Henderson, and Mactavish with entries for September 3, September 16, September 22, and September 28, 2011; files of Brown v. Board of Education NHS.

²²³ Brown Henderson, 2022.

²²⁴ See one-page summary of events related to the Foundation’s office space at the park, with entries for September 3, September 16, September 22, and September 28, 2011; files of Brown v Board of Education NHS. Smith also provided a detailed response to Mactavish’s memorandum on September 22, 2011; files of Brown v Board of Education NHS, A4415.

the Foundation's financial records at Brown v. Board of Education NHS. Jones was initially hindered in her investigation by Foundation staff, who were uncooperative and failed to provide the requested records. Finally, on the third day of her investigations, Foundation CFO Don Cameron accommodated Jones in her investigation, and Mactavish acknowledged "that the NPS has a right to audit certain aspects of the Foundation's books and records." They disagreed strenuously with the claims that led to the audit and objected to the methods of the auditor, especially her multiple requests for records, some of which the Foundation believed went beyond the remit of the audit. The Foundation also retained the law firm of Hogan Lovells US LLP to represent their interests during the audit. In a letter to Superintendent Smith, this firm challenged the process for its lack of a clear work plan or Notice of Audit.²²⁵ With this controversy swirling, Regional Contracting Specialist Tonya Bradley wrote to Mactavish informing him that, until the audit was completed and received by NPS, it would withhold its signature on the new cooperative agreement. The federal government would not execute the agreement, Bradley told Mactavish, "until we have been assured by the audit results that the financial systems of the Foundation are in compliance" with federal guidelines. In the meantime, however, the Regional Office would authorize a modification to the current cooperative agreement to allow reimbursement of expenses through November 20, 2011.²²⁶

Jones and Company provided a report to NPS on November 1, 2011, causing distress at both the Foundation and the Midwest Regional Office. Jones conducted the audit in accordance with federal government standards issued by the Comptroller General of the United States and the Office of Management and Budget (OMB), as defined more specifically in OMB Circular A-133 pertaining to audits of states, local governments, and non-profit organizations. These standards require the auditor to identify the entity's accounting procedures and any material misstatements regarding accounts and disclosures in financial statements. The audit showed that the Brown Foundation did not maintain adequate accounting records, making an assessment of all expenses impossible. In part because the record-keeping was insufficient, Jones initially identified \$620,871 in expenses over the past three fiscal years that were considered "unsupported, unallowable, not allocable and unreasonable." Disallowed expenditures included those for alcoholic beverages and travel expenditures that were unsupported or above the normal rate. Unsupported expenditures consisted of those which could not be identified as being allowed under the cooperative agreement, lacked adequate explanation, or were for an event that could not be identified as being an NPS related event under the cooperative agreement. Funds that were non-allocable to NPS included salaries for off-site personnel, general administrative expenses, fund-raising, other Foundation programs, or sponsorships, while unreasonable expenses included excessive salaries and general administrative expenses that went beyond the amount allowed by NPS for that expense. For each of the three years that the audit included, the allowable expenses consisted of between 23% and 32% of all expenditures. The remaining portions that were challenged in the initial audit for each year ranged from \$193,000 to nearly \$250,000.²²⁷

²²⁵ Memorandum, Bruce Mactavish to David Smith, October 6, 2011; Stuart M. Altman, Hogan Lovells LLP to David Smith, October 11, 2011; Donald L. Cameron to Audrey Jones, October 14, 2011; files of Brown v Board of Education NHS. The obstructions which Jones faced were recounted by Superintendent Smith in his interview with OIG investigators.

²²⁶ Tonya Bradley to Dr. Bruce Mactavish, October 18, 2011; files of Brown v Board of Education NHS, A4415.

²²⁷ Jones and Company, "Independent Auditor's Report on the Schedule of Expenditures on Federal Award(s), The Brown Foundation for Education Equity, Excellence and Research," November 1, 2011; files of Brown v Board of Education NHS.

The auditor focused principally on the Brown Foundation's financial systems and procedures. The Brown Foundation had prepared financial reports for NPS review during the first Cooperative Agreement and had had regular financial audits prepared beginning in the second cooperative agreement in 1999 that continued through 2011. Despite being submitted for review to the park and the Regional Office, no formal comments or concerns have been located. Only with the results of the NPS-ordered audit in 2011 were concerns raised about the Brown Foundation's finances. The Foundation, the audit report concluded, lacked the skills and knowledge to apply federal government accounting principles and practices and did not have the necessary controls in place to monitor expenses. This was due in large part, it stated, to the very small size of the staff, "which precludes certain internal controls that would be preferred if the office staff were large enough to provide optimum segregation of duties and oversight." This theme was revisited in the report's discussion of whether specific expenses cited by the Foundation were allowable under federal accounting guidelines: "There was a lack of design and operation of effective internal control in place over compliance and oversight by Board of Directors and executive management. Foundation is dominated by one or two individuals."²²⁸ The report asserted that, while the Foundation contracted for a financial audit each year, going back to the earliest years of the cooperative agreement, these audits were not sufficient for federal accounting purposes: "The auditee's [Foundation's] upper management executives and board members did not understand the government audit requirements or the engaged independent public accounting firm lack[ed] government auditing experience and requirements," and "Foundation personnel were not aware these reports were required."²²⁹

These charges were damaging to the Brown Foundation, pointing to a lack of management, though principally through lack of knowledge and experience in managing federal funds. The report also identified failures by NPS. The report observed that, while some recipients of federal funds are paid on a reimbursement basis, others, including the Brown Foundation, receive payment in advance. In these cases, the recipient must have procedures in place to minimize the time between the receipt of advance federal funds and spending those funds on the project that had been identified. The recipient is then responsible for filing invoices and other supporting documents with the federal government. In searching the Brown Foundation's records, the auditor could find no evidence that supported most of the advance payments. Her conclusion was that "Either no records were maintained by the auditee [Brown Foundation] or the funding agency management approved payment without reviewing paid invoices that pertain to the expenditures."²³⁰ In Brown Henderson's view, NPS did not provide either the Brown Foundation or its accountants the necessary guidance or training in the particular accounting procedures that would be required for federal programs, despite the Brown Foundation having submitted regular financial statements during the course of the successive cooperative agreements.²³¹ Other than the attempts to make the Brown Foundation's reports and annual work plans conform to the federal government's GPRA requirements during negotiations over the second cooperative agreement in 1998, the current research has identified no instances in which NPS had raised any question of compliance with federal accounting procedures.

²²⁸ Ibid., 11, 13.

²²⁹ Ibid., 16-17.

²³⁰ Ibid., 14.

²³¹ Brown Henderson, 2022.

Just two days after receiving the audit report, Superintendent Smith wrote to Brown Foundation Board Chair Bruce Mactavish. Smith cited the report's findings that the "Foundation lacked or failed to exercise internal control mechanism necessary to manage federal funds." As a result, Smith said, NPS would suspend any further negotiations regarding a new cooperative agreement and would provide no new funding under the current extension until a new cooperative agreement was in place. Smith also repeated his insistence that the Foundation leave their offices in Monroe School by December 1, 2011.²³² The Foundation's attorney, Stuart Altman for Hogan Lovells, took umbrage with Smith's response to the audit report that was not accompanied with a copy of the audit report for the Foundation to review. Smith responded on December 1, 2011, with a copy of the audit report and observed that the NPS Office of the Comptroller was then studying the report to determine what actions, if any, to take. Smith also noted that the report would be available to the public under the Freedom of Information Act and that he also was making copies available to Senators Pat Roberts (R-KS) and Jerry Moran (R-KS) along with Representative Jenkins.²³³

State and national newspapers began to carry the story in late December 2011, but the publicity died down in early 2012 as the OIG began its long and thorough review of the NPS audit in preparation for a second report on the Brown Foundation. This review continued throughout 2012 and included a study of the auditor's report and interviews with NPS staff. In April 2012, for example, an OIG inspector interviewed former Regional Chief Contracting Officer Debra Imhoff. Imhoff acknowledged that she had provided little oversight to the Brown Foundation's cooperative agreement, relying instead on Contracting Officer Theora McVay and McVay's direct supervisor, George Sievers, while McVay and Sievers had relied on the ATRs at *Brown v. Board of Education NHS* who "were the primary individuals responsible for the day-to-day management of the cooperative agreement and the Foundation's deliverables." Until Acting Superintendent David Schafer and Superintendent David Smith, however, the ATRs at the park had not provided proper reporting. Rather than putting blame on the superintendents, however, Imhoff explicated an awareness at the park and the Regional Office "that the Foundation and its employees were untouchable." Although denying any direct guidance or coercion, "Imhoff said she and other NPS employees generally understood that there was no opportunity to change the relationship between the NPS and the Foundation. Imhoff then stated if you had a problem with the Foundation you had no place to go." She particularly addressed the attitudes of former Regional Directors Ernest Quintana and William Schenk: "it was just understood that as an NPS employee you did not bring up concerns or talk about the Foundation and what they were doing with Quintana and Schenk." With the advent of Regional Director Michael Reynolds, Chief of Interpretation Dave Schafer, and Superintendent David Smith, the Regional Office "really began changing its views and handlings of the Foundation." The OIG inspector also interviewed Superintendent Smith in March 2012, who testified to receiving a call from an advisor to former Senator Brownback in late 2011. The advisor told Smith "that they were concerned about rumors that the Foundation was going to be put on a reimbursement status

²³² David Smith to Bruce Mactavish, November 3, 2011; files of *Brown v Board of Education NHS*, A4415.

²³³ Smith to Mactavish, December 1, 2011; files of *Brown v Board of Education NHS*, A4415. See also email, Stuart Altman to Katherine Cushinberry, David Smith, et al., November 4, 2011; Janet Thompson Jackson, Brown Foundation Chair-Elect to Linda Clark, Midwest Region MABO, November 9, 2011; files of *Brown v Board of Education NHS*.

and how important they felt the Foundation's work was." The advisor also told Smith "that Brownback still had a lot of friends in DC and the Foundation had been doing a lot of good work and we would hate to have any problems with the Foundation."²³⁴

The OIG concluded its investigation by early 2013 and, in April, released a record of its investigations to date, including interviews with park and Regional Office staff. The report summarized the failures of NPS to properly oversee the cooperative agreement and of the Brown Foundation to manage and account for the funds which were appropriated through the cooperative agreement. It also incorporated the interviews of Imhoff and Smith, discussed earlier, and included the results of an interview with Audrey Jones, who conducted the audit of the Foundation in October 2011. Jones had observed that Brown Foundation personnel had removed many supporting documents from the forms that had been transmitted to NPS and that previous audits had not followed standard government accounting processes. The OIG investigators supported Jones' conclusion that the Foundation inappropriately mixed funds received from NPS through the cooperative agreement with funds from other sources and that the Brown Foundation failed to adhere to federal travel regulations. The OIG investigators had interviewed Cheryl Brown Henderson and Foundation CFO Donald Cameron, questioning them regarding accounting practices and expenses. Brown Henderson and Cameron defended most of the questioned expenses as project-related and explained that they relied on NPS staff for guidance on adherence to federal guidelines.²³⁵

The OIG investigators accumulated a substantial number of files, both from its own investigation and from the auditor's investigations in 2011. Having reviewed the report and acknowledged the failure of the Brown Foundation to comply with federal guidelines and regulations regarding the cooperative agreement, NPS Director John B. Jarvis then established a file review team to determine "if the oversight provided by the agency was according to regulatory guidelines." The team's review would also allow NPS to determine if there was reason to seek to collect any or all of the \$620,871 in questionable costs incurred by the Brown Foundation from 2009 to 2011. In addition to NPS staff members, the file review team included representatives from the DOI Office of Acquisition and Property Management and the DOI Solicitors Office.²³⁶

The file review team found that much of the paperwork had been completed and filed correctly and that the file included extensive correspondence between NPS and the Foundation, the Contracting Officer, and the ATR, and "from Congress to NPS encouraging funding to the recipient." The files also contained significant deficiencies, however, particularly the lack of budget detail prior to the award. Without this detail, the file review team observed, "it is difficult if not impossible to evaluate the costs appropriately" for compliance with regulations regarding whether they were allowable, appropriate, and reasonable. The files included no evidence that NPS had reviewed the business management capability or the financial systems of the Brown Foundation, and the cooperative agreement lacked required DOI provisions and award and

²³⁴ DOI OIG Investigative Activity Report, April 19, 2012; files of Brown v Board of Education NHS.

²³⁵ DOI Office of Inspector General, Report of Investigation, April 25, 2013; files of Brown v Board of Education NHS.

²³⁶ Memorandum, John B. Jarvis to Robert Knox, Assistant Inspector General for Investigations, ND (c. May 2013); files of Brown v Board of Education NHS, A5419.

payment language. Regarding the costs which the auditor had marked as questionable, the file review team recommended a closer examination based on the complete files.²³⁷ An undated meeting agenda from the file review team provides additional insights into the implications for NPS. A representative from the DOI Office of Acquisition and Property Management, for example, reported on a review that “incorporated expectations of ‘best practices’ as well as fulfilling policy requirements. This means that NPS was found to be lacking in its oversight of the cooperative agreement, as well as having omitted the budgetary and systems reviews required during the pre-award process.” The DOI Financial Assistance Office, meanwhile, “noted that NPS omitted the pre-award required reviews” prior to releasing advance funds to the Brown Foundation.²³⁸

In July 2013, the DOI Solicitor made note of the fact that the findings of Jones and Company’s audit and the OIG’s investigations came to different results regarding questionable expenses, “with no explanation for the differences.” These differences, combined with statements from Brown Henderson and Cameron that explained many of the expenses, “could constitute admissible defenses of expenditures under an administrative or legal appeal.” The NPS and OIG needed to clarify all these points before making a public statement regarding unreasonable expenses or initiating a bill of collection from the Foundation.²³⁹ This detailed accounting investigation continued through 2013, and the final report was released on the Internet on January 31, 2014. The report contained a thorough review of actions of NPS and the Brown Foundation, finding fault with both. Based on its interviews with NPS staff, the report stated that “NPS contracting officials failed to adequately monitor the cooperative agreement with the Foundation and that this helped facilitate unregulated Foundation spending.”²⁴⁰

While the 2014 OIG report remained little changed from the initial report of investigation in 2013, the amount of questionable expenses by the Brown Foundation was altered significantly. Based on additional research in park and Midwest Regional Office files, and in light of interviews with Brown Henderson and Cameron, NPS accounting staff acknowledged that many of the expenses identified as unallowable or unallocable by the 2011 audit should be allowed. This included transportation charges that were comparable to standard services, compensation levels for Brown Henderson and Cameron that were found to be in line with similar non-profit organizations, and labor charges assumed to be for non-project tasks that were reassigned to project work.²⁴¹ The core problem remained that inadequate record keeping and commingling of federal and non-federal funds on the part of the Foundation prohibited a comprehensive review and determination of whether the Brown Foundation had complied with federal regulations. On the basis of the NPS accountant’s research, however, NPS determined

²³⁷ “File Review Summary: The Brown Foundation—Cooperative Agreement #H6145050001,” ND, attached to Ibid.

²³⁸ Undated agenda, c. May 2013, for file review team meeting; files of Brown v Board of Education NHS.

²³⁹ Memorandum, Sheryl Rakestraw, Attorney Advisor to Elizabeth Withers, NPS Internal Control Coordinator, July 12, 2013; files of Brown v Board of Education NHS.

²⁴⁰ DOI OIG, “Investigative Report of Brown Foundation for Education Equity, Excellence, and Research,” (posted to Web January 31, 2014), 7; files of Brown v Board of Education NHS.

²⁴¹ Brown Henderson in her 2022 comments to Cockrell, provided to the author, contended that the Brown Foundation “only conducted NPS programs with NPS funds.” In addition, she argued that, in cases when “the park was operating under a continuing resolution and funds were not provided to implement programs that had already been planned and marketed,” the Brown Foundation supported the partnership programs with donated funds.

that \$543,925.68 in expenses were still questioned, approximately \$130,000 less than initially indicated by the 2011 audit. In February 2014, NPS, therefore, delivered a bill for this amount to the Brown Foundation.²⁴² The sum had not been paid as of March 2015, and a review of available records finds no evidence that it has been paid since.²⁴³ The Brown Foundation contends that there is no proof that this sum is owed to the federal government.²⁴⁴

By this time, NPS and the Brown Foundation had mostly ceased communicating and no longer collaborated on projects. The Foundation and NPS ended discussions regarding a new cooperative agreement in November 2011 and did not resume them. Both NPS and the Brown Foundation have continued to hold programs and events related to the *Brown* decision, and the Brown Foundation has continued to engage with civil rights groups throughout Kansas and the nation, providing workshops and organizing a speakers' bureau while maintaining their scholarship program and curriculum guides and publishing a book of essays by plaintiff families.²⁴⁵ The budget line item for the Brown Foundation was subsequently transferred to the park's operating budget with the expectation that the park would expand its interpretive and educational outreach to match the work done by the Brown Foundation. Superintendent Smith actively sought opportunities for engagement with new audiences, hiring a new educational ranger who led the park in creating more classroom programs. Smith also entered the park into several new partnerships including the Boys and Girls Clubs of Topeka and Lawrence, Freedom's Frontier National Heritage Area, the Washburn University Art Department, and others to provide curriculum-based, after-school, and summer programs. Superintendent Sherda Williams, who entered on duty in early 2015, continued to expand these relationships and develop new ones. The park and the Brown Foundation have, therefore, continued to work on parallel but not intersecting tracks since early 2012.

Beginning in 2019, however, NPS and Brown Henderson tentatively re-opened communications. The first formal contact was made by Regional Historian Ron Cockrell, building on communication between former NPS Historian Harry Butowsky and Brown Henderson. The initial focus was Brown Henderson's participation in this Administrative History. In early July 2019, Cockrell sent an email to Brown Henderson, requesting her participation in the Administrative History by agreeing to take part in an oral history interview. In early October 2019, Cockrell informed her that a contract for the Administrative History had been awarded to Outside the Box LLC. Project Historian Deborah Harvey then contacted Brown Henderson by email on December 30, 2019, requesting an appointment to conduct an in-person interview. Brown Henderson initially declined to agree to an in-person interview but offered an interview by telephone, pointing out that she was agreeing to take part in the project despite her misgivings about and distrust of NPS after her experiences from 2010 to 2013. In response, Cockrell expressed his hope that her participation, giving her a platform to tell the story from her perspective, would help to establish a new relationship, a sentiment echoed by Brown Henderson

²⁴²Michael T. Reynolds and David Smith to Cheryl Brown Henderson, February 19, 2014; files of *Brown v. Board of Education* NHS. See also Memorandum, Superintendent, *Brown v. Board of Education* NHS to Board of Directors, Brown Foundation, ND (February 2014, per handwritten comments), with "Explanation of Billed Amounts;" files of *Brown v. Board of Education* NHS.

²⁴³ See handwritten briefing notes by Superintendent Sherda Williams, March 26, 2015; Superintendent's files, *Brown v. Board of Education* NHS.

²⁴⁴ Brown Henderson, 2022.

²⁴⁵ Ibid.

in her replies: “You are absolutely correct in your thinking regarding this opportunity to have our experience on the record.”²⁴⁶ By mid-January 2020, Brown Henderson agreed to an in-person interview near her home in Florida. In mid-March 2020, when the in-person interview was scheduled to be conducted, however, travel restrictions and health precautions put in place in response to the COVID-19 pandemic led to a requirement that all further oral history interviews for this project be conducted remotely. Brown Henderson took part by telephone in April 2020. Brown Henderson, like all other oral history subjects for this administrative history, then reviewed and approved the transcript of her interview before quotes and information from it were incorporated.

A second opportunity for closer relations between Brown Henderson and the park emerged in February 2021, during a community discussion sponsored by the Topeka Public Schools. One of the park’s rangers took part in the panel and provided a summary of the *Brown* decision that was cursory and ill-informed. Brown Henderson received numerous telephone calls from community members who were concerned by the presentation. Having re-established a relationship with Cockrell during the planning efforts for the Administrative History, Brown Henderson telephoned him in mid-February. She recalled that, as part of the cooperative agreements with NPS, the Brown Foundation had regularly provided orientation and training to NPS interpretive staff and offered to provide a similar orientation to the current park staff remotely via the Internet. Cockrell relayed the offer to Superintendent Sherda Williams, who contacted Brown Henderson immediately to accept the offer.²⁴⁷ Scheduling proved a challenge, as the park was then closed due to restrictions resulting from the COVID-19 pandemic, but in-person meetings took place in the fall of 2021. On October 6, Brown Henderson agreed to give two presentations to staff in order to allow all staff to participate while keeping the park open. In the presentations, Brown Henderson provided the park’s staff with a history of the *Brown* decision from her family’s perspective, but she emphasized the limited role that her family played. She placed a greater focus on the role of the local NAACP, particularly McKinley Burnett, the president of the Topeka chapter, in organizing local families to take part in a legal challenge to segregation and coordinating with the national NAACP for support. Although far from the close relationship that existed between the park and the Foundation from the early 1990s through the late 2000s, when Brown Henderson shared her personal history of the *Brown* decision with every new staff member, even this limited cooperation is an encouraging sign of an improved relationship in the future, particularly in light of the Congressional expansion of the park in May 2022.²⁴⁸

²⁴⁶ Email, Cheryl Brown Henderson to Ron Cockrell, January 10, 2020; correspondence provided to the author by Ron Cockrell.

²⁴⁷ Email, Ron Cockrell to Sherda Williams, February 17, 2021; correspondence provided to the author by Ron Cockrell.

²⁴⁸ Emails among Ron Cockrell, Sherda Williams, and Cheryl Brown Henderson from February to August 2021, provided to the author by Ron Cockrell; recollections by Brown v. Board of Education NHS Training Specialist Nicholas R. Murray on the training provided by Brown Henderson in response to a draft version of this Administrative History were provided to the author.

Chapter 5: Cultural Resources and the Rehabilitation of Monroe Elementary School

For *Brown v. Board of Education* NHS, the most important resource is conceptual rather than tangible: the park interprets the story of the struggle for equal rights, particularly in education, by African Americans from the late nineteenth century to the 1954 *Brown* decision and its multifaceted legacy to the present. Despite this emphasis on the story, NPS has responsibility for many aspects of material culture associated with the park. Most notably, this includes Monroe Elementary School, but NPS is called upon also to preserve and protect the surrounding cultural landscape, archeological resources, and archival and artifact collections. The focus of this chapter is on the rehabilitation of Monroe School in time for the Grand Opening celebration of the park in May 2004, but it includes the management of other cultural resources as well.

Monroe Elementary School: Initial Rehabilitation Planning and Funding

In a recent oral history interview, Cheryl Brown Henderson recalled that the first cooperative agreement between the Brown Foundation and NPS, from 1993 to 1998, focused on supporting the park's initial planning efforts, including the GMP and an interpretive plan, and developing off-site interpretive programs through speakers and a traveling exhibit. The second cooperative agreement, however, was oriented more toward the development of exhibits for the reopening of Monroe School.²⁴⁹ The potential interpretive uses of the building were discussed and incorporated in the GMP and planning in detail began in 1997.

As discussed more fully in Chapters 1 and 2, Monroe Elementary School served as one of four schools for African American children in Topeka through the 1950s and was the school Oliver Brown's children were required to attend rather than nearby Sumner Elementary School. Children of three of the plaintiffs in the *Brown* case also attended Monroe Elementary School, although there were schools reserved for white children closer to their homes.²⁵⁰ After welcoming generations of students for nearly fifty years, Monroe Elementary School closed in 1975 in the face of declining enrollment. The Topeka School Board continued to use the building as a warehouse through 1980 before selling it. Between 1980 and 1994, the property was sold several times as detailed in Chapter 2, until it finally came into the hands of the National Park Service, which planned to use it as the Headquarters and Visitor Center for the *Brown v. Board of Education* NHS.

When the National Park Service acquired Monroe School, the building itself was structurally sound, but it had maintenance issues that needed to be addressed immediately to protect it from further damage. In particular, the school had suffered from water infiltration through broken and cracked windows and a failing roof. Interim Site Manager Sandra Washington addressed windows first by securing the assistance of Maintenance Supervisor Paul Taylor from Lincoln Boyhood National Memorial, Indiana, to conduct basic maintenance and repair at the school. In April 1994, Washington also initiated a funding request for the replacement of the flat roof that covered the auditorium and gymnasium at the rear of the

²⁴⁹ Brown Henderson, oral history interview.

²⁵⁰ Brown Henderson, 2022.

building. After he came on duty later that summer, Superintendent Ray Harper arranged for Midwest Region Historical Architects Al O'Bright and Laura Johnson to conduct an assessment of the flat roof. It took another year to secure the funding, develop plans, and hire a contractor to replace the roof. Work began in September 1995. Maintenance Worker Treva Sykes was on staff by that time, but she lacked the qualifications to oversee the project. Instead, Superintendent Harper arranged with the Superintendent of Harry S Truman NHS, Missouri, to allow Chief of Maintenance Michelle Cefola to serve as the Contracting Officer Representative. The scope of work required removal of the existing materials of the flat roof, covering approximately 2,973 square feet, and installation of a modified asphalt roof clad in a roofing membrane.²⁵¹ The work was begun in the fall of 1995 by Jacobson Abatement and Installation, Inc. of Topeka. The identification of cracks in the cement substrate of the roof, however, delayed completion of the roof replacement until 1996.²⁵²

By the time the auditorium roof was replaced, initial planning for the overall rehabilitation of Monroe School was under way. Scoping meetings for the GMP had begun in April 1993, so the school's interior features were already in planning for the site's interpretation. Later in 1993, Representative Jim Slattery (R-KS) submitted a funding request to Congress for FY 1994 to begin the park's Historic Structure Report (HSR). The purpose of an HSR is to conduct an intensive study of the building's history, including construction, modifications, and use, and to provide a detailed assessment of the building's condition, including structural stability and mechanical, electrical, and plumbing systems. In addition, HSRs typically describe alternatives for preservation and rehabilitation based on a broad understanding of how NPS plans to use the structure and partial, preliminary designs for the selected alternatives.²⁵³

The park received funding for the HSR in late 1994, and Superintendent Harper coordinated with Regional Historical Architect Craig Kenkel to begin planning and identifying a contractor to conduct the work, which was scheduled to begin in the summer of 1995.²⁵⁴ Quinn Evans Architects (QEA), an architectural and engineering firm in Ann Arbor, Michigan, which held an indefinite quantities task order with the Midwest Regional Office, prepared a bid for the work with their mechanical and electrical engineering subcontractor, SWS Engineering, in July 1995. The work was awarded in September 1995, and work began in late October.²⁵⁵ At the HSR kick-off meeting on October 25, 1995, Superintendent Harper defined the recommended

²⁵¹ Memorandum, Superintendent, Brown v. of Brown Board of Education NHS to Regional Director, Midwest Region, April 8, 1994, files of Brown v. Board of Education NHS, D52; Memorandum, Superintendent, Brown v. Board of Education NHS to Superintendent, Fort Scott NHS, September 2, 1994, files of Brown v. Board of Education NHS, H4217.

²⁵² Work began with a pre-construction meeting at the school on October 11, 1995, see Memorandum, Superintendent, Brown v. Board of Education NHS to Superintendent, Fort Scott NHS, November 2, 1995; files of Brown v. Board of Education NHS, L7019. See also Superintendent's Annual Narrative for FY 1995, December 18, 1995; files of Brown v. Board of Education NHS, A6261.

²⁵³ Department of the Interior FY 1994 Construction Fact Sheet: Historic Structure Report, Brown v. Board of Education NHS, n.d.; files of Brown v. Board of Education NHS, A6427.

²⁵⁴ Superintendent, Brown v. Board of Education NHS to Superintendent, Fort Scott NHS, February 2, 1995; files of Brown v. Board of Education NHS, L7019.

²⁵⁵ Contract awarded to QEA, dated September 25, 1995, with the Notice to Proceed to be on October 23, 1995; files of Brown v. Board of Education NHS, maintenance files. See also Scope of Work for the HSR with cover email from "Bill" [Harlow] identifying SWS Engineering as subcontractor to QEA, July 17, 1995; files of Brown v. Board of Education NHS, maintenance files.

program of use for the building. The first floor would serve as the primary visitor experience location, and the second floor would house special programming spaces and park offices, and the gymnasium/auditorium would be used for presentations, with modern sound systems installed.²⁵⁶

While the investigative work of the HSR was in process, Regional and park staff initiated their planning for the rehabilitation of the school. Planning for the school's rehabilitation coincided with a significant change in how NPS complied with Section 106 of the National Historic Preservation Act of 1966 (as amended). Section 106 requires the responsible official of a federal agency to take into consideration the effects of any action that agency undertakes that may affect historic properties, which are defined as cultural resources that are listed in or are eligible for the National Register of Historic Places. In an agency as large and multifaceted as the National Park Service, with such a vast number of historic properties, this had become a cumbersome process by the early 1990s. Moreover, the consultation process by which NPS fulfilled its responsibilities under Section 106, involving the State Historic Preservation Office (SHPO) for each state and the federal Advisory Council on Historic Preservation (ACHP), was made more complicated by the difficulties of identifying a responsible federal official for projects at individual parks. In response, NPS and the National Council on State Historic Preservation Officers (NCSHPO) negotiated a Programmatic Agreement that streamlined the NPS' Section 106 process, first, by identifying individual superintendents as the responsible federal official who could consult with the SHPO for park-specific projects and, second, by identifying categories of activities which the superintendent could approve without engaging the formal Section 106 process. This service-wide Programmatic Agreement acknowledged that NPS had capable staff who were trained and experienced in the responsible management of historic properties and established protocols for early communication between the superintendents and the SHPOs. The Programmatic Agreement was executed by NPS, ACHP, and the NCSHPO in October 1995.

The 1995 Programmatic Agreement, with its streamlined process for Section 106 consultation, came on the eve of substantial planning for the Monroe School rehabilitation project. With the 50th anniversary of the *Brown* decision, in May 2004, on the horizon, the need to plan the rehabilitation and restoration of the school's interior and exterior, and plan, develop, and install the exhibits by then, became a high, overriding priority. Although the wordsmithing by staff from Regional and Washington offices was slowing down the release of the final GMP, the general program for the park, including the Monroe School rehabilitation, was well established by the time QEA began work on the HSR in the fall of 1995. In June 1996, Superintendent Harper prepared and submitted a Development/Study Package Proposal for the physical rehabilitation of Monroe School. As the GMP neared completion in early 1996, Harper explained, the Environmental Assessment portion concluded that the proposed Monroe School rehabilitation would have no adverse effects on natural or cultural resources. The involvement of the SHPO and the ACHP constituted consultation under Section 106 for all aspects of the school rehabilitation except "for any exhibits permanently attached to the structure or property."²⁵⁷

²⁵⁶ Meeting minutes for HSR kick-off, October 25, 1995, submitted January 16, 1996; files of *Brown v. Board of Education* NHS, maintenance files.

²⁵⁷ Development/Study Package Proposal, Rehab Monroe School for Visitor and Admin Use, submitted by Rayford Harper, June 10, 1996; files of *Brown v. Board of Education* NHS, maintenance files.

Harper proposed a line-item construction budget of \$7.786 million that included restoration of the exterior and portions of the interior; rehabilitation of most of the interior, given the alterations that had been made over the years; replacement of the brick chimney, masonry roof tiles, and windows; fire detection/suppression and security installations; accessibility features, and a plan for interpretive exhibits and audiovisual media. This work, he explained, would not only allow NPS to fulfill the Congressional mandate as stated in the enabling legislation, it would also allow NPS to meet its regulatory requirements. Harper noted that, in its present condition, Monroe Elementary School “is not safe or suitable for public use. Neglect of a National Historic Landmark violates the purpose and intent of the National Historic Preservation Act.”²⁵⁸

In addition to their duties for the HSR, QEA also began preliminary design work for the rehabilitation of the school. By the spring of 1997, the firm had prepared initial floor plans for the first and second floors of the school, and they revised these plans throughout the year. As the plans matured by late 1997, they showed that visitors would enter through the front door and into the hallway, where a Ranger’s office was located on the left and a first aid and storage room on the right. Two principal exhibit galleries faced the street at the south end of the building, and the Kindergarten room in the southwest corner was identified as a reception space with seats to watch a video. The former auditorium/gymnasium was to be a flexible exhibit and reception space. The north end of the building featured two more galleries facing the street and a sales area facing the back. The second floor was reserved for staff offices and break facilities along with room for use by a Friends Group.²⁵⁹

Throughout this period of planning, QEA continued to work on the HSR, and delivered a 75% complete draft in late 1997.²⁶⁰ At the same time, Superintendent Sherman, who succeeded Harper in September 1996, and Maintenance Worker Treva Sykes put a strong emphasis on protecting the building from deterioration and conducting routine maintenance and upkeep. The Superintendent’s Annual Narrative for FY 1997 identifies a substantial list of upgrades and improvements including reglazing and painting the lower front windows, removing furnaces, replacing the sump pump to help keep the basement from flooding, fixing or replacing downspouts, and removing non-historic floor coverings in two of the classrooms. In addition, the park contracted for temporary heating units for the winter months and installed them in four locations along the rear of the building. This work allowed the park to begin offering tours of the building, albeit with advanced notice. As Superintendent Sherman observed in her annual narrative, “The area residents have continued to express their appreciation of the grounds and

²⁵⁸ Ibid.

²⁵⁹ The preliminary floor plans, with a final revision date of November 11, 1997, are in files of Brown v. Board of Education NHS, Value Analysis folder.

²⁶⁰ The detailed physical examination of the Monroe Elementary School that was a part of the HSR process no doubt informed the initial plans for the school’s rehabilitation, and the HSR was in draft form as early as the summer of 1996. Since QEA was preparing both the HSR and the rehabilitation plans simultaneously, however, work on the HSR apparently was subsumed into the overall rehabilitation work and discussions of planning documents during the late 1990s rarely if ever include references to the HSR. The HSR was finalized in January 2000 and was approved by Regional Director William Schenk on April 5, 2000. An electronic version of the final HSR in the files of Brown v. Board of Education NHS was provided to the author.

building being kept in a presentable manner. The Neighbors and Visitors continue voicing their positive and constructive comments about the improved conditions of the site.”²⁶¹

Value Analysis Workshops, the Development Advisory Board, and Final Planning

The park made great strides toward the school’s rehabilitation program through 1998 and 1999, as park, Regional, and DSC staff worked to build support for the necessary line-item funding to prepare plans and designs that would allow construction to begin in 2000. By April 1998, the Monroe School rehabilitation project was included in the FY 1999 Line Item Construction Projects budget, but funds had not yet been appropriated. The budget at the time called for \$6.2 million in FY 1999 and \$4.8 million in FY 2000.²⁶² In 1998 and 1999, the park hosted multiple Value Analysis (VA) workshops, each oriented toward specific aspects of the building’s rehabilitation, restoration, exhibit design, and visitor experience. A VA workshop in March 1999 focused primarily on interior treatment alternatives, resulting in recommendations to retain and restore the nearly 300 steel sash windows rather than replacing them and to replace the red clay tile roof. With regard to the school’s heating, ventilation, and air conditioning (HVAC) system, the VA workshop resulted in the recommendation of a hydronic unitary, or geothermal, system.²⁶³ The several VA workshops that were held for the interpretive exhibits will be discussed later in this chapter.

In April 1999, with recommendations in hand from the VA workshop the month before, the park requested a review of proposed construction work by the NPS Development Advisory Board (DAB). As time was growing short until the 50th Anniversary Celebration of the Brown v. Board decision, when the Park Service expected the park to be opened to the public, this review focused on the exterior restoration and portions of the interior rehabilitation, including mechanical and electric systems and stabilization/repair of interior surfaces. A review by the DAB of the preferred concept for visitor experience and park use was already scheduled for August 1999, and the final design for interior construction was dependent on the results of that review. At that point, the overall rehabilitation project was divided into two phases: Phase I consisted of the overall interior and exterior school rehabilitation and restoration, and Phase II consisted of the production, construction, and installation of permanent exhibits and audio-visual media. The park presented its plans before the DAB in August 1999. The Board approved the preferred alternative but raised questions and requested additional information about the costs for roofing, tuckpointing, and windows.²⁶⁴ After submitting the required cost information, the park received word that the DAB approved the work in July 2000.

During the DAB review process, the project was divided into three phases, rather than the original two: Phase I consisted of the exterior restoration work, Phase II consisted of the interior

²⁶¹ Annual Superintendent’s Narrative for FY 1997, February 20, 1998; NPS Electronic Technical Information Center.

²⁶² Briefing Memorandum, Brown v. Board of Education NHS, April 1998; files of Brown v. Board of Education NHS.

²⁶³ Project Review Report, Brown v. Board of Education NHS, Rehabilitation Monroe School, April 23, 1999; files of Brown v. Board of Education NHS. See also Memorandum, Chief, Cultural Resources Management, Midwest Region to Contracting Officer, Contracting and Property Management, Midwest Region, regarding funding for the VA workshop, March 8, 1999; files of Brown v. Board of Education NHS, H30-15.

²⁶⁴ Project Status Report, Brown v. Board of Education NHS, April 10, 2000; files of Brown v. Board of Education NHS.

rehabilitation, and Phase III consisted of the interpretive exhibits and audiovisual materials (see Chapter 7 for a discussion of the exhibits developed in Phase III). With the approval of the DAB, the revised budget was set at \$10,335,000, divided over Fiscal Years 1999, 2000, and 2002.²⁶⁵ This approval allowed QEA to begin the final exterior design work, which continued through late 2000 and early 2001. The Regional Office solicited bids in the spring of 2001, and, in late May, selected All Pro Construction, Inc., based in Grandview, Missouri, for the work. Work began almost immediately, with a pre-construction conference on June 1, 2001.²⁶⁶

Phase I Restoration and Archeological Investigations

In addition to the roof and windows, which were the major exterior projects, Phase I included sealing and waterproofing the foundation to prevent water from seeping into the basement, removing the existing asphalt paving from the field across the street from the school, and removing and replacing the sidewalk along the east façade of the school. All this work required ground-disturbing activity which, in turn, required archeological investigations and monitoring. The Midwest Archeological Center (MWAC) planned and conducted the work, which began in 1999 with a geophysical survey using remote sensing at ground level to identify potential features below the surface, combined with research into historical maps. In 2000, MWAC excavated test pits at several of the features identified by the geophysical survey.²⁶⁷



Figure 18. Archeological excavations at north end of Monroe Elementary School, 2001. Photograph in files of Brown v. Board of Education NHP.

During the construction work in 2001, MWAC monitored excavations for waterproofing the foundation because the proposed trench would come close to a foundation remaining from the first Monroe School, built in approximately 1874, a short distance to the north (Figure 18). During work at the current school, the footing for the south wall of the first Monroe School was located along with a set of concrete steps that originally led down to an outside entry landing to the school, probably an addition made in 1911. These steps were located only eight feet north of the current school's foundation, which was deemed too close to allow workers to safely apply the

²⁶⁵ Memorandum, Associate Director, Professional Services to Director, National Park Service, August 22, 2000; files of Brown v. Board of Education NHS.

²⁶⁶ Notice of Award to All Pro Construction, Inc., from Contracting Officer Theora McVay, May 22, 2001; files of Brown v. Board of Education NHS, D5217.

²⁶⁷ "Archeological Work Plan, Brown vs Board National Historic Site, FY2001;" files of Brown v. Board of Education NHS.

waterproofing to the foundation. After consultation among the archeologists, a representative from All Pro Construction, Treva Sykes, and Historical Architect Jim Creech, the construction workers placed shoring in the trench to protect the works against a possible collapse of the steps during waterproofing.²⁶⁸ A second archeological investigation took place in April 2002 in association with a proposed sewer line extending to the west from the rear of the school. Excavators identified sandstone slabs that were parts of a foundation approximately fifty feet from the school's west wall. The contractors agreed to dig a trench to lay in the sewer line rather than bore through the ground, thereby avoiding the foundation fragment, which was identified as part of a small outbuilding.²⁶⁹



Figure 19. Archeological excavations at east side of Monroe Elementary School, 2002. Photograph in files of Brown v. Board of Education NHP.

Crews from MWAC returned to Monroe School in April 2002 to monitor the removal of the sidewalk along the east façade of the building (Figure 19). Previous historical research indicated the presence of houses there, before the current school was built, and excavations verified the research by revealing multiple sets of foundations, primarily sandstone blocks. Once all sidewalk concrete was removed, MWAC crews used backhoes to clear away topsoil before excavating a series of 1x1-meter test pits. All features were mapped and recorded before being backfilled. In May, crews from MWAC monitored directional drilling underneath SE Monroe Street, which was done to lay the pipes to be used for the geothermal HVAC system and to map the locations of the geothermal pipes in the lot across SE Monroe Street from the school. No archeological features were identified during this monitoring work.²⁷⁰

²⁶⁸ Memorandum, Archeologist, Midwest Archeological Center to Manager, Midwest Archeological Center, August 14, 2001; files of Brown v. Board of Education NHS, H2215.

²⁶⁹ Memorandum, Archeologist, Midwest Archeological Center to Manager, Midwest Archeological Center, April 12, 2002; files of Brown v. Board of Education NHS, H2215.

²⁷⁰ Memorandum, Archeologist, Midwest Archeological Center to Manager, Midwest Archeological Center, May 24, 2002; files of Brown v. Board of Education NHS, H2215.



Figure 20. Installation of restored windows, 2001. Photographs in files of Brown v. Board of Education NHP.

Work on Phase I of the project moved quickly during the late summer and fall of 2001, with window and foundation repairs being among the earliest efforts (Figure 20). By October, the brick chimney had been rebuilt, and the clay roof tiles were being installed above a new ice and water shield (Figure 21).²⁷¹ With the exterior work winding down in the summer of 2002, All Pro Construction issued a Request for Proposals for the school's geothermal system. The project initially called for eighty geothermal wells, together with the loop piping that would keep the water at a constant temperature. Ground Source Systems, Inc. of Buffalo, Missouri, won the contract and began work in early November.



Figure 21. Rebuilding the brick chimney, 2001. Photographs in files of Brown v. Board of Education NHP.

By early November 2002, plans for the geothermal system had been revised to provide for installation of seven trenches to connect each of seventy geothermal wells, with two more trenches for return lines to the school (Figure 22). Crews from MWAC returned to monitor the excavation of all nine trenches during the first three weeks of November. During monitoring, the archeologists identified a potentially significant site related to the late nineteenth- and early twentieth-century occupation of the neighborhood, with approximately 200 items recovered including glass bottles and jars, pottery sherds, and domestic architectural items such as doorknobs, nails, and light bulbs. A likely dump site was also located beneath much of the western portion of the playing field. The trenches were backfilled after mapping, and an

²⁷¹ Architect's Field Report, October 11, 2001; files of Brown v. Board of Education NHS.

archeological site number was assigned by the Kansas State Historical Society (14SH114).²⁷² The completion of the geothermal system in late 2002 was the final component of Phase I, which was determined to be substantially complete in December 2002.



Figure 22. Digging a well for the geothermal system, 2001. Photograph in files of Brown v. Board of Education NHP.

Phase II: Interior Rehabilitation

Planning for Phase II, the interior rehabilitation of the school, began before construction work on Phase I kicked off. In March 2001, based on the VA workshops in March 1999, Regional and park staff, together with Deborah Dandridge from the Brown Foundation, met with QEA architects to begin planning the space requirements for the Monroe School interior. Quinn Evans Architect provided the plans for the work, which the park submitted to the DAB for review in late March 2002; the DAB gave its approval in late May 2002. In April, the Kansas SHPO concurred with the NPS assessment that the work would not adversely affect the school, and, on October 9, 2002, All Pro Construction, the contractor for the Phase I work, was selected to undertake Phase II. This phase of work had two principal goals. First, NPS needed to make the building safe and habitable for visitors and staff. This included installing all new mechanical, electrical, plumbing, HVAC, and fire detection/suppression systems, creating offices and meeting spaces by rebuilding interior walls that had been removed in the late 1980s on the second floor, adding new interior lighting, replacing the basement floor, installing an elevator, and either replacing or repairing the existing flooring. Additionally, NPS needed the building to be prepared to house the new interpretive exhibits and audiovisual media.

The schedule for work on Monroe School called for all work on the interior rehabilitation to begin in December 2001, and be completed by December 2002, and for installation of the exhibits and audiovisual materials to begin in January 2003. This would allow the park to be

²⁷² Memorandum, Archeologists Sturdevant and Hunt to Manager, Midwest Archeological Center, December 9, 2002; files of Brown v. Board of Education NHS, H2215.

open at Monroe School by May 2003, one year in advance of the 50th Anniversary commemoration of the *Brown* decision in May 2004. Delays in funding and securing approval from the DAB pushed back the contract award for Phase II by nearly one year. According to the Superintendent's Annual Report for FY 2003, the overall project "has been plagued from the beginning by inaccurate/incomplete construction specifications and drawings, resulting in many delays, especially for Phase II interior rehabilitation." Once work on Phase II began in the fall of 2002, the project faced additional delays. In meetings with NPS project managers and All Pro Construction, Superintendent Adams recorded in his Annual Report "it was agreed that the work could be finished by late April 2003. That time passed. A new completion date of July 16, 2003 was set—and passed. The current proposed completion date is December 4, 2003."²⁷³ In May 2003, the park received final approval from the DAB for the remaining portions of Phase II, which also projected the installation of exhibits in 2003.²⁷⁴ Adams attributed much of the delay to not having an on-site project manager, which "would have helped keep this project on schedule, as would not having had a succession of project managers (five since the project started)."²⁷⁵ Work on the second floor was completed first, and park staff began moving into their new offices in early December 2003.

The rehabilitation of Monroe Elementary School as the Visitor Center for *Brown v. Board of Education* NHS received widespread acclaim. In 2005, the National Trust for Historic Preservation selected the Monroe School rehabilitation project for one of its National Preservation Honor Awards. Staff members who entered on duty after 2004 were universally struck by the high quality of the work, two observing that it was an example of the best work that NPS could do. The building has also been immaculately maintained due, in large part, to the continuing efforts of Facility Operations Specialist Treva Sykes, who began caring for the building in 1995 and remains on staff. As Superintendent David Smith recalled, "Treva, you know, takes care of that building like it's her own house. She's taking care of that lawn, taking care of the museum exhibits and everything else. . . it's seldom that you see that in the National Park Service."²⁷⁶ Sykes observed that, "I love to hear people say, 'This is one of the best, cleanest parks we've been to!' . . . when you're involved, it's kind of like your baby. You've seen it from really, really rough, and now. . . you hear the kids downstairs, and you can just get the sense of 'Wow!'"²⁷⁷

Parking and the Cultural Landscape

A key desire for the managers of any unit of the National Park System is to draw visitors to it: parks and sites are established by Congress or by executive action intended to provide for the public benefit and are meant to be enjoyed by many. For many parks, however, particularly those in urban spaces, how to provide parking for visitors is a problem to be solved. When *Brown v. Board of Education* NHS was created in the fall of 1992, the National Park Service was in the early stages of paying attention to cultural landscapes. This meant taking into consideration such features as trees, road alignments, open spaces, buildings, topography, gardens, and others that created the unique setting for the resource and how those features had

²⁷³ Superintendent's Annual Report, October 5, [2003], NPS Electronic Technical Information Service.

²⁷⁴ Director's Construction Project Approval, *Brown v. Board of Education* NHS.

²⁷⁵ Superintendent's Annual Report, October 5, [2003], NPS Electronic Technical Information Service.

²⁷⁶ Smith, oral history interview.

²⁷⁷ Sykes, oral history interview.

changed over time. Once a cultural landscape had been defined for the resource based on a particular point in history, incorporating new landscape features could pose an adverse effect on the integrity of the resource itself and was to be strenuously avoided.

As discussed in Chapter 3, part of Interim Site Manager S ndra Washington’s efforts to activate the park included hiring David Barnes, a graduate student in architecture, to begin work on a Cultural Landscape Inventory (CLI). Barnes conducted research into the school and its neighborhood surroundings through 1994. He prepared a substantial draft report in late 1994 and early 1995. Barnes recounted the history of the neighborhood surrounding the school, the construction and location of the original Monroe Elementary School, and the needs for the current school. After briefly chronicling the process of construction, Barnes provided a close examination of the few historic photographs of the school that he was able to locate, identifying the layout of sidewalks and grassy areas and the presence and types of trees on the school’s grounds. He was able to draw upon an extraordinarily valuable oral history with Leola Brown Montgomery, whose first husband, Oliver Brown, was the namesake of the *Brown* decision. Mrs. Montgomery attended Monroe Elementary School from 1927 to 1935 and recalled the location of equipment on the boys’ and girls’ playgrounds and how the school children used the property. She also recalled the facilities on the playing field across SE Monroe Street from the school, particularly the baseball backstop and fencing. Other oral history interviews included information on the sports events and games that took place in the playing field during the 1930s and 1940s.²⁷⁸

Barnes also documented the grounds and surroundings of Monroe School during the NPS-selected period of significance, from 1950 to 1954. He had few photographs from which to work, but these, combined with oral history interviews, provided sufficient information to produce a useful description of the school grounds and the surrounding neighborhood. This included fencing installed in the mid-1950s, existing trees, playground equipment, and the playing field. The surrounding neighborhood was primarily residential in character, with fewer large commercial buildings and more trees than currently, though students remembered several small stores and coffee shops and one large food warehouse that had a great deal of truck traffic. More substantial changes to the school grounds took place in the 1960s, with increased fencing around the playing field and the school, and the removal of many of the elm trees. Barnes also provided limited documentation on the changes to the building and grounds by the subsequent owners after the school was closed in 1975 until NPS acquired the property.²⁷⁹

On the basis of the draft CLI, the Regional Office contacted the Kansas SHPO with the recommendation that the cultural landscape for Monroe School be determined eligible for the National Register and therefore be a contributing element. According to Acting Regional Director James A. Loach, the CLI identified the landscape’s character-defining features as the building, playgrounds on the north and south sides of the school, the parking area at the rear of the school, the concrete courtyard area along the east (front) of the school, the playing field, the flagpole, the level topography of the area, the open views from the northeastern corner of the playing field, the residential surroundings, the sidewalks and steps on the school lot, the alley to

²⁷⁸ “Cultural Landscape Inventory Level II, Monroe Elementary School, Topeka, Kansas,” undated but c. 1995; files of *Brown v. Board of Education* NHS, H2217.

²⁷⁹ *Ibid.*

the west of the school building, and the railroad right-of-way on the east side of the playing field. Loach requested concurrence from the SHPO that the cultural landscape and the defined features contributed to the significance of the Monroe Elementary School. The SHPO concurred on July 5, 1995.²⁸⁰

The GMP was completed and approved in 1996, and, although it made few recommendations that would impact the historic character of Monroe School, it did address the loss of or changes to buildings in the surrounding neighborhood as potential impacts on the school's historic integrity and, thus, a management issue. As a result, rather than prepare what was by then a standard Cultural Landscape Report, Midwest Region Historical Landscape Architect Sherda Williams prepared a Scope of Work for Cultural Landscape Guidelines (CLG) in 1997. The purpose of the CLG was to provide design guidelines that would help NPS provide technical assistance to the City of Topeka in the City's planning efforts for the neighborhood. In late September 1997, the Regional Office awarded a contract for the CLG to Quinn Evans Architects of Ann Arbor, Michigan, which was scheduled to be complete by December 1998.²⁸¹

Quinn Evans Architects subcontracted the work to Land and Community Associates, Inc. (LCA), a small firm based in Charlottesville, Virginia, to prepare the CLG. The firm was led by J. Timothy Keller and Genevieve Keller, who had written *National Register Bulletin 18: How to Evaluate and Nominate Designed Historic Landscapes*. Land and Community Associates began work in November 1997, and submitted a draft of the CLG to NPS in the spring of 1999. The park shared the draft with the Brown Foundation for their input. In her response, Brown Henderson focused primarily on the historical accuracy pertaining to the civil rights aspects of the narrative but had no other comments on the neighborhood design recommendations. On the basis of NPS and Brown Foundation comments, LCA prepared a draft final CLG in late 1999, which Superintendent Adams submitted to the Kansas SHPO in early 2000 in accordance with the 1995 Programmatic Agreement. As Adams noted, the CLG was designed to fulfill the GMP suggestion that the park provide technical assistance to the City of Topeka "to retain the ambiance of the neighborhood as a residential area and to ensure compatible uses."²⁸² The CLG included extensive maps and drawings with recommendations for street signage, circulation patterns and parking guidelines for the park, new and infill residential construction, vegetation, and use and treatment for specific buildings visible from Monroe School.²⁸³

The final CLG was completed and approved in June 2000. Its guiding premise was to provide guidance to NPS and the City of Topeka to allow the neighborhood "to evoke the spirit of the 1950-1955 [sic] period of significance." While providing guidance for the rehabilitation of certain landscape features, the designs presented in the CLG were not intended as a blueprint for

²⁸⁰ James A. Loach to Richard Pankratz, May 11, 1995; files of Brown v. Board of Education NHS, H3017. See also Determination of Eligibility Form for Brown v. Board of Education NHS, Landscape (of Monroe Elementary School), executed by Richard Pankratz and William Schenk, July 11, 1995; files of Midwest Regional Office, provided to the author.

²⁸¹ FY 97 Servicewide Cultural Resource Project Report: Brown v. Board of Education National Historic Site, Prepare Cultural Landscape Guidelines, October 1997; files of Brown v. Board of Education NHS, H3019.

²⁸² Stephen E. Adams to Ramon Powers, January 7, 2000, quoting the GMP; files of Brown v. Board of Education NHS, H4217.

²⁸³ The maps and drawings that accompany the report, dated March 1999 and revised in March 2000, are available in files of Brown v. Board of Education NHS.

restoring the entire neighborhood, “but they are intended to encourage retention of the features and qualities that were present during that period.” In addition, the CLG’s recommendations were based on the concept that 15th Street would serve as the major east-west entrance to the park, while including the block immediately north of Monroe School as a combined parking area and visitor reception area. The CLG also included recommendations for the rehabilitation of residential buildings from the period of significance, new infill residential construction compatible with the neighborhood’s character-defining features, the adaptive reuse of commercial and industrial buildings in order to meet visitors’ needs, and the rehabilitation of Cushinberry Park, located immediately east of the playing field, in the spirit of a landscape plan prepared in 1922 and revised in 1940. The CLG also developed a feasibility plan for redeveloping the eastern end of the neighborhood for hotel and restaurant uses.²⁸⁴

The question of cultural landscapes had an immediate impact on the question of parking for the new site. With no obvious parking space within the park boundary as established by Congress, this question became a challenging one for the park and was raised in early 1994 during initial planning meetings for the GMP. Inserting parking into the neighborhood posed risks to the cultural landscape; as a review of the draft GMP in 1995 stated: “Monroe School and its associated cultural landscape are critical to the story because the Topeka case revolved around the physical resources,” and federal regulations required NPS to protect those resources.²⁸⁵

Throughout 1994, park planners hoped that a solution could be found by coordinating with the Topeka School Board who was then planning to build their new Williams Magnet School directly north of Monroe School, on the north side of SE 15th Street at the south end of the block. Members of the School Board had indicated that they were willing to cooperate with the park by including enough parking spaces for park visitors. By early 1995, however, the School Board announced that it was unable to acquire that property and, instead, would build at the north end of the block. Superintendent Harper and members of the GMP team met with Topeka Mayor Harry L. Felker in late January 1995, hoping that he could help them to find a solution. Mayor Felker had no immediate response but pledged his efforts to assist NPS. He also revealed that the city hoped to redesign and improve Cushinberry Park, which lay to the east of Monroe School, separated from the National Historic Site by the school’s former playing field, and hoped to incorporate the former playing field into the improvement program. A portion of the playing field was being used at the time by one of the neighboring businesses, Graphics Promotions, for parking.²⁸⁶ In 1995 also, Superintendent Ray Harper and Brown Foundation President Cheryl Brown Henderson sponsored a trip to Birmingham, Alabama, for city leaders, including Topeka Mayor Felker and Representatives from the Topeka Chamber of Commerce. The team met with the Mayor of Birmingham along with the Director of the Birmingham Civil Rights Institute and his staff to conceptualize how the area around Brown v. Board National Historic Site could become part of the interpretive experience in keeping with how the

²⁸⁴ Quinn/Evans Architects and Land and Community Associates, *Brown v. Board of Education National Historic Site: Cultural Landscape Guidelines*, approved by Midwest Regional Director William Schenk, June 9, 2000, 1-9 to 1-10.

²⁸⁵ Memorandum, Field Director, Midwest Region to Assistant Director, Design and Construction, DSC, September 28, 1995, regarding Draft General Management Plan Review; files of Brown v. Board of Education NHS, D18.

²⁸⁶ Summary of Meeting with Mayor Felker of Topeka, January 31, 1995, n.d.; files of Brown v. Board of Education NHS.

Birmingham Civil Rights Institute had included Kelly Ingram Park and the 16th Street Baptist Church across the street on two sides of their facility.²⁸⁷

The late 1980s and early 1990s saw a flash of interest among NPS planners in providing shuttle buses from a remote location when traffic was an issue at a park, but it rarely provided a permanent solution. The GMP team discussed the possibility of shuttle buses for Brown v. Board of Education NHS as late as the revised draft GMP in 1995. Although a copy of that draft GMP was not located during research for this Administrative History, a review of it by the Regional Office in September recommended that the section on parking be reworked “to indicate that, first, the planning team decided that visitor parking will be accommodated off-site. Briefly present the reasoning for this decision. Then, indicate that the ISSUE is developing off-site parking (where and how much).” Regarding potential boundary adjustments, according to the review, “We understood that the decision had been made not to include visitor parking on site. Please provide justification how this was determined.”²⁸⁸ By early 1996, the revised draft GMP included the hope that the City of Topeka would provide a parking lot immediately north of Monroe School, which NPS would then lease, but it remained only a possibility. This proposal remained in place for the final GMP in July 1996.

This issue was moot for several years, as planning for the rehabilitation of Monroe School and developing interpretive and educational programs took precedence. Leasing space north of the school remained the leading possibility as late as the fall of 1999, though the park had made no formal arrangements with the City of Topeka. In a meeting with Acting Superintendent John Neal and Chief of Interpretation Tyrone Brandyburg in June 1999, planning staff from the City of Topeka asked for the park’s current plans regarding parking, and again pledged the city’s assistance. The park, at that point, had few options: Neal and Brandyburg hoped to retain the former playing field across the street from the school as an intact Cultural Landscape, while noting that NPS, “based on experience, does not like remote parking.” Although the meeting did not result in a solution, it was the first step in a growing partnership between the park and City staff.²⁸⁹

While the final CLG was in production in early 2000, the park received cyclic maintenance funding to repair the baseball backstop on the playing field. By that time, the backstop was mostly overgrown with vegetation. The work consisted of removing the trees and other vegetation, replacing the wiring, and repainting the backstop to maintain the historic character of the playing field to the early 1950s.²⁹⁰ In 2007, the flagpole, another contributing landscape element and on the park’s List of Classified Structures (LCS; see a discussion of the park’s LCS later in this chapter), was repaired by replacing the concrete that held the base of the flagpole in place and removing the rust that had begun to build on the flagpole.²⁹¹

²⁸⁷ Brown Henderson, 2022.

²⁸⁸ Memorandum, Field Director, Midwest Region to Assistant Director, Design and Construction, DSC, September 28, 1995, regarding Draft General Management Plan Review; files of Brown v. Board of Education NHS, D18. Emphasis in original.

²⁸⁹ Briefing Statement, September 27, 1999; files of Brown v. Board of Education NHS.

²⁹⁰ Press Release, March 13, 2000; files of Brown v. Board of Education NHS, K3415.

²⁹¹ Assessment of Actions Have an Effect on Cultural Resources, May 31, 2007; files of Brown v. Board of Education NHS, H4217.

The issue of parking lay dormant until the summer of 2001, when the City of Topeka offered to lease the former playing field across from the school to the park. Not only did this allow the use of the space as a parking lot, it also cleared the way to installing the building's new geothermal system. As discussed earlier, the excavation work for the geothermal system took place during 2002, and, in September 2003, the park awarded a contract to McPherson Wrecking to begin work on preparing the field for use as a visitor parking lot.²⁹² The ground was leveled and prepared for a gravel parking surface, designed to be a temporary solution until the lot could be paved (Figures 23, 24).

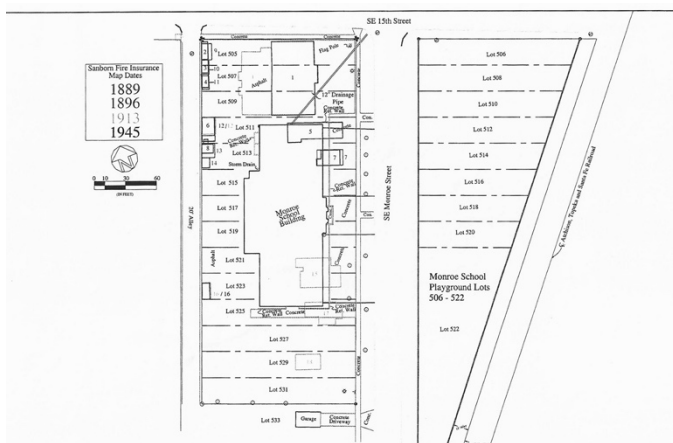


Figure 23. Map showing school playground area and proposed parking area on right, Monroe School on left. Plan in files of Brown v. Board of Education NHP.



Figure 24. Photograph taken in October 2003 showing parking lot under construction, Monroe School in background. Photograph in files of Brown v. Board of Education NHP.

The temporary parking lot served its purpose, but it remained a problem for the park. By 2005, the City of Topeka had donated the land in the western two-thirds of the former playground to NPS for use as parking, but the eastern section remained an unused railroad right-of-way owned by BNSF Railway Company. Superintendent Dennis Vasquez worked with the Regional Lands Office to attempt to acquire the right-of-way but without success. In September 2005, the Topeka City Council gave its approval to coordinating with NPS on acquiring the unused right-of-way by condemnation.²⁹³ Despite attempts over the succeeding years, neither NPS nor the City of Topeka was able to acquire the railroad right-of-way. Finally, in 2021, the park received funding to begin design work to replace the gravel parking surface with solid pavement. The design work would be conducted by Regional Landscape Architect Brian Leaders. The right-of-way remained in private hands, and design of the pavement would avoid the existing railroad berm.²⁹⁴ In May 2022, Congress passed, and President Joseph R. Biden signed, a law that expanded Brown v. Board of Education NHS and redesignated it as a National

²⁹² Notice of Award, Billy W. Davis to McPherson Wrecking, Inc., September 24, 2003; files of Brown v. Board of Education NHS, D5217. See also the Notice to Proceed issued to McPherson Wrecking, Inc., October 8, 2003.

²⁹³ Superintendent's Annual Narrative, Fiscal Year 2005, October 26, 2005; NPS Electronic Technical Information Center.

²⁹⁴ Superintendent's Annual Report, Fiscal Year 2021, Draft report, June 17, 2021; files of Brown v. Board of Education NHS, provided directly to the author.

Historical Park. Among the law's provisions, Congress authorized the acquisition of the former railroad right of way. This provision allowed park staff to begin working with the City of Topeka to identify descendants of the original property owners and secure their permission to acquire the land.

The CLI, meanwhile, remained in draft form, with occasional updates and new surveys and evaluations in 2000, 2004, 2005, and 2011 before the final CLI was completed in 2014. This report is based largely on Barnes' research, including his substantial history of the physical development of Monroe School and its immediate surroundings, but with the addition of more recent oral histories. The CLI identifies more than twenty individual features of the landscape, including open spaces, standing buildings and structures, alleys, parking spaces, sidewalks and steps, and courtyard areas, and evaluates the spatial relations among them. It presents an evaluation of the significance of the cultural landscape, finding that it contributes to the significance of Monroe School, and that the integrity of the cultural landscape is moderate.²⁹⁵

List of Classified Structures

The National Park Service maintains a database of all historic and prehistoric structures that have historical, architectural, and/or engineering significance within the units of the National Park System. This List of Classified Structures (LCS) contains information about resources that each unit must manage because they contribute to the history and significance of the site, but that do not all need to be individually listed on the National Register of Historic Places. The care and protection of resources identified on a park's LCS is one of the park's principal management requirements.

Brown v. Board of Education NHS first established its LCS in early 1994, and, in the summer, Acting Regional Director Edward Carlin provided the draft list to the Kansas State Historic Preservation Office. At that time, the park had identified three items on the LCS: Monroe Elementary School, built in 1926; the playground/parking area on the east side of SE Monroe Street across from the school, built in 1934; and the baseball back stop within the playground area, also built in 1934.²⁹⁶ Later that year, however, as oral history research by the Brown Foundation and documentary research by Historian Rachel Franklin Weekley was begun and evaluated, the park identified a fourth item for the LCS. In January 1995, Regional Director William Schenk informed Superintendent Harper that the school's flagpole, located at the northeast corner of the property, was built in the 1940s and, thus, was present during Monroe School's period of significance from 1951 to 1954.²⁹⁷

The park's LCS was expanded in 2006 based on research conducted for the Historic Structures Report. In addition to the four original components (Monroe School, playing field, baseball backstop, and flagpole), the park's LCS now includes the paved playground area and sidewalk along the front (east) side of Monroe School, the paved parking area along the rear

²⁹⁵ *Monroe Elementary School Cultural Landscapes Inventory*, July 2014; MWRO Cultural Landscapes Program.

²⁹⁶ Edward D. Carlin to Dick Pankratz, August 8, 1994; files of Brown v. Board of Education NHS, H3017.

²⁹⁷ Memorandum, Regional Director, Midwest Region to Superintendent, Brown v. Board of Education, February 16, 1995; files of Brown v. Board of Education NHS, H3017.

(west) side of Monroe School, and the unpaved playground areas adjacent to the east and west ends of the school.²⁹⁸

Collections

Park staff recognized from the very beginning that the park's interpretive thrust would be the story itself, conveyed through words and images, and collections would be secondary. The 2012 Long Range Interpretive Plan, for example, states that "Due to the nature of the history of the site, the interpretation of the subject matter is done in a very graphic and visual nature, and not through a large collection of physical objects that can be made available for tactile examination."²⁹⁹ The GMP, completed in 1996, largely demurred on the idea of collections for the park without making a definitive declaration. Instead, although the GMP included the recommendation to develop a scope of collections statement and a collections management plan, in practical terms it called for the creation of an agreement with the University of Kansas under which the University would curate the park's archives.³⁰⁰ This had been the park's strategy since at least 1994, when Interim Site Manager Sandra Washington joined with Acting Regional Curator Abby Sue Fisher to meet with staff at the Kansas Collection at the University of Kansas. The purpose of the meeting was to discuss a cooperative agreement by which the University of Kansas would curate the park's collections.³⁰¹

The sense was that the park's collections would consist primarily of archival materials, and, given the importance of the story of the *Brown* decision and its context, the most important archival materials would be oral history interviews. Already by the mid-1990s, the Brown Foundation had arranged with the Kansas State Historical Society to curate its collection of oral history interviews funded by Hallmark Cards, Inc. and the Shawnee County Historical Society, with later additions from the oral history interviews which the Brown Foundation completed under the first cooperative agreement. As the park began its own oral history project in the early 2000s, the Kansas State Historical Society curated these as well.³⁰² In addition, the park had, by 1995, identified and acquired "a significant collection of photographic prints" related to the *Brown* decision and the people associated with it.³⁰³

Chief of Interpretation Robin White prepared the park's first Scope of Collection Statement (SCS) in early 1996. The SCS, she noted in the document's introduction, was

²⁹⁸ Memorandum, Regional Director, Midwest Region to Superintendent, *Brown v. Board of Education*, January 5, 2006, with attached List of Classified Statement pages for all seven resources; files of *Brown v. Board of Education* NHS, H3017.

²⁹⁹ *Brown v. Board of Education National Historic Site (BRVB) Long-Range Interpretive Plan* (Prepared by Interpretive Solutions, Inc. under contract to Interpretive Planning Services, Harpers Ferry Center, Harpers Ferry, West Virginia, July 2012), 52-53.

³⁰⁰ *General Management Plan*, 44.

³⁰¹ Memorandum, Superintendent, *Brown v. Board of Education* NHS to Superintendent, Fort Scott NHS, July 8, 1994; files of *Brown v. Board of Education* NHS, L7019.

³⁰² *Ibid.*, 78. See also Letha E. Johnson, "*Brown v. Topeka Board of Education* Oral History Collection at the Kansas State Historical Society, Finding Aid" (Kansas State Historical Society, Topeka, Kansas, 2000), available at [BrownFindingAid.pdf\(ksks.org\)](http://BrownFindingAid.pdf(ksks.org)).

³⁰³ "Scope of Collection Statement, *Brown v. Board of Education* National Historic Site," prepared by Robin White and approved by Rayford Harper, January 10, 1996, attached to Memorandum, Curator, Great Plains System Support Office, Midwest Field Area to Chief of Interpretation, *Brown v. Board of Education* NHS, February 5, 1996; files of *Brown v. Board of Education* NHS, D6223.

designed in part to “prevent arbitrary and excessive growth of museum collections.” Instead, she explained, the park would prioritize the use of reproductions in the exhibits, and storage and maintenance of original collections could be provided by agreements with nearby institutions. The SCS laid out the conditions under which the park would acquire collections, including that they would have to support one or more of the principal interpretive themes as identified in the draft GMP, with priority given “to objects associated with the park’s resources or directly related to persons or events commemorated by the park, as opposed to similar objects without such primary association.” The SCS then identified methods of acquisition and limitations on how collections can be used for research and interpretive purposes and recommended the preparation of a Collection Management Plan.³⁰⁴

In late 1999, as planning for the rehabilitation of Monroe School was accelerating, Chief of Interpretation Tyrone Brandyburg announced plans to begin accepting items by donation related to the story of the *Brown* decision. The park’s goal, he stated in a letter requesting support from the NPS Museum Management Program, was “to collect two-dimensional objects because those items are more significant when interpreting a Supreme Court case.” The park needed assistance, he added, with remedying deficiencies in its museum storage facilities.³⁰⁵ Park leaders have taken no substantial action on Brandyburg’s proposal, and collections remain a low priority for the park. The current Foundation Document, prepared and released in 2017, observes that “The park is place based, not object based, and currently does not manage many collection items.” The document, however, echoes the recommendation of the 2009 accessibility study that the presence of tangible items in the park’s exhibits may allow visitors with a variety of interests and needs to more fully appreciate the park’s story. As the Foundation Document suggests, the park could look into the opportunities of a stronger emphasis on collections, but it warns that such an approach “would also require significant staff time and changes to the operating environment of the Monroe Elementary School.” Prior to embarking on such a course, the Foundation Document concludes, the park should update the Scope of Collection Statement, which had most recently been revised in 2012.³⁰⁶

The park’s largest collection consists of artifacts discovered during the archeological surveys conducted by the Midwest Archeological Center. As discussed earlier in this chapter, MWAC carried out several projects in the grounds surrounding Monroe School from 2001 to 2003, including trenching around the north foundation to correct problems with water infiltration, removing and replacing sidewalks along the east façade of the school, and excavating to extend a sewer line from the rear of the school and to install wells and piping for the building’s geothermal system. By late 2002, MWAC had collected more than 1,500 objects during the survey monitoring projects, and, in 2003, MWAC completed cataloging these items and entered the records into the Automated National Catalog System (ANCS), the National Park Service’s computer database of museum collections (now the Interior Collection Management System).³⁰⁷ The park’s archeological collections are permanently housed at MWAC.³⁰⁸ In early

³⁰⁴ Ibid.

³⁰⁵ Tyrone Brandyburg to National Center for Cultural Resources, attn. Jessica Johnson, October 1, 1999; files of *Brown v. Board of Education NHS*, A44.

³⁰⁶ *Foundation Document: Brown v. Board of Education National Historic Site, Kansas*, August 2017, 25.

³⁰⁷ See *Brown v. Board of Education NHS Annual Performance Plans for 2002 and 2003*; NPS Electronic Technical Information Center.

³⁰⁸ *Foundation Document*, 9.

2022, Acting Superintendent James (Jim) Williams oversaw the preparation of a draft Scope of Collection Statement and executed an agreement that allowed the park's archives to be curated at the Independence Multi-Park Facility in Independence, Missouri.³⁰⁹

³⁰⁹ Comments on the draft final version of this Administrative History provided by Superintendent James Williams by email, August 9, 2022.

Chapter 6: Interpretation and Education

Unlike many units of the National Park System, the interpretation program at Brown v. Board of Education NHS has never relied on the park's primary cultural resource. Although the Monroe Elementary School is a vitally important symbol for the civil rights movement in America and an important component of the surrounding neighborhood and the City of Topeka's history, the school itself is not the focus of the park's story. Instead, the park interprets the far broader history of racism and discrimination in America, particularly in regard to public education, its impact on the education of children, and the heroic struggle to seek legal and constitutional remedies to this discrimination so that the nation can more fully live up to its promise. This is not to say that specific places are not important components of the park's mission. The legislation that established Brown v. Board of Education NHS in 1992 called on NPS to protect and interpret "the places that contributed materially to the landmark United States Supreme Court decision that brought an end to segregation in public education," and "to assist in the preservation and interpretation of related resources within the city of Topeka that further the understanding of the civil rights movement." The preservation of these places, however, was in the service of telling the story of "the integral role of the *Brown v. Board of Education* case in the civil rights movement."

The Brown Foundation played a crucial role in the park's interpretation program from its inception. As discussed in Chapter 4, one of the park's first tasks was to enter into a cooperative agreement with the Foundation. The principal objective of the initial cooperative agreement, which was executed in September 1993, was to foster a collaboration between NPS and the Brown Foundation "to achieve an interpretive plan and interpretive programming for the Brown v. Board of Education NHS" so that NPS could fulfill its legislative mandate. While awaiting funding for the cooperative agreement through late 1993, the Brown Foundation continued to plan, conduct research, and establish connections among those interested in the history of civil rights. Once the funding and administrative structures were established in January 1994, the Brown Foundation accelerated and expanded its existing work. The Foundation had already created a traveling exhibit on the *Brown v. Board of Education* decision, which the new park staff installed in the initial headquarters space in the U.S. Post Office.³¹⁰ This was an important step at a time when the park had no interpretive staff and was focused primarily on planning efforts and working to prevent further deterioration of Monroe School. One of the park's first steps toward developing its own interpretive program, as discussed in Chapter 3, came in the spring of 1994 when Site Manager Sandra Washington arranged for Jefferson National Expansion Memorial NHS Chief of Interpretation Bill Henry to serve at the park on temporary duty to develop a short-term interpretive strategy and a Junior Ranger program for the park in preparation for National Parks Week in late May of that year.³¹¹

Initial Efforts: Collaboration with the Brown Foundation, 1994-2000

By early 1994, Brown Henderson and other members of the Board of Directors had, for several years, been actively involved on a national level through public speaking events, interviews, and articles, in promoting the broader story of the decision that included all of the

³¹⁰ Brown Henderson, oral history interview.

³¹¹ Memorandum, Superintendent, Brown v. Board of Education NHS to Superintendent, Jefferson National Expansion Memorial NHS, April 8, 1994; files of Brown v. Board of Education NHS, P8815.

cases associated with the *Brown v. Board of Education of Topeka, Kansas*, Supreme Court case. Brown Henderson was able to draw upon that experience immediately to support the interpretive mission of the park “to help develop a visitor experience that placed the story of *Brown* in the context of the African-American experience in the United States.”³¹² Former Chief of Interpretation Robin White, who transferred to the park from Petroglyph National Monument, New Mexico, in March 1995, recalled the steady pace of work as she collaborated with Brown Henderson to develop interpretive and educational materials. White noted that Interim Site Manager Sändra Washington and Superintendent Rayford Harper, who entered on duty in July 1994, had already developed a good working relationship with Brown Henderson and the Brown Foundation when she came on board. Communication among Harper, Brown Henderson, and herself, she said, was good and open, and “we always made ourselves available to support each other.” White described her own extensive collaboration on a curriculum guide for the park, school and community outreach programs, meetings with representatives of the other cases that were part of the *Brown v. Board of Education* decision, and an important symposium on the *Plessy v. Ferguson* Supreme Court decision, together with the Brown Foundation’s support for the GMP process that included traveling together to parks that commemorate aspects of civil rights and African-American history as evidence of the close rapport among the three.³¹³

At the same time, the park was extending its outreach by participating in community celebrations including Black History Month, for which park staff coordinated tours of Monroe School led by former students, and Women’s History Month, when staff made classroom presentations to elementary schools in the Topeka area.³¹⁴ This outreach to schools continued through 1995 and 1996, with programs that were “age appropriate, encouraging students to learn more about the National Park Service, the events leading to the *Brown* decision, the verdict, the impacts of the *Brown* decision to society, and celebrating multi-culturalism.” Park staff also began offering tours of Monroe School, still in an unrestored condition, with advanced reservations. In early 1996, Superintendent Harper hired Park Ranger LaTrelle Pierre on a lateral assignment from Morristown National Historical Park, New Jersey, to serve as the park’s first Education Outreach Specialist.³¹⁵

Robin White also detailed her collaboration with the Brown Foundation regarding the development of grant proposals. One of White’s most significant successful grant proposals was for the Parks as Classrooms program, which was established by the National Park Foundation in 1992 to foster greater collaboration between parks and classroom teachers throughout the nation. White collaborated with Brown Henderson on the grant proposal in 1995, and the award was announced in late October of that year. The park received the \$7,500 award in February 1996, which was used to continue work on the “In Pursuit of Freedom and Equality” curriculum guide.³¹⁶ The Brown Foundation had earlier collaborated with Opus Communications in

³¹² Brown Henderson, oral history interview.

³¹³ White, oral history interview.

³¹⁴ Superintendent’s Annual Narrative for FY 1995, December 18, 1995; files of *Brown v. Board of Education* NHS, A2621.

³¹⁵ Superintendent’s Annual Narrative for FY 1996, February 10, 1997; NPS Electronic Technical Information Center. See also Rayford Harper to Superintendent Clark Dixon, January 29, 1996; files of *Brown v. Board of Education* NHS, P8815.

³¹⁶ Wilke Nelson, National Park Foundation, to Rayford Harper, *Brown v. Board of Education* NHS, February 15, 1996; files of *Brown v. Board of Education* NHS, L3217.

Overland Park, Kansas, to develop this curriculum, which originally contained a VHS video filmed in the moot court room and International House on the campus of Washburn University and narrated by regional acting personality Danny Cox. The video included interviews with *Brown* plaintiffs Lucinda Todd, Lena Carper, and Vivian Scales, along with Linda Brown Thompson and Cheryl Brown Henderson.³¹⁷ For this project, White also collaborated with the Kansas State University School of Secondary Learning (SSL) to develop the multimedia curriculum guide using Hyperstudio®, a commercial software program that allowed the combination of text, graphics, and sound to be stored on a Compact Disc (CD). The first component to be developed was “A Fair Chance to Learn,” which White envisioned as being applicable not just to *Brown v. Board of Education NHS*, but to other sites that interpret the civil rights movement, including Martin Luther King, Jr., NHS, in Georgia; Independence National Park, in Pennsylvania; and Women’s Rights National Historical Park, in New York. White, in collaboration with SSL professors, developed a draft text for the program and fostered relationships with local school districts to obtain the necessary curriculum standards.³¹⁸



Figure 25. Bess Sherman, 1998. Photograph in files of *Brown v. Board of Education NHS*.



Figure 26. Tyrone Brandyburg, 1998. Photograph in files of *Brown v. Board of Education NHS*.

Unfortunately for the program, both Chief of Interpretation White and Superintendent Harper departed the park in 1996, causing a loss of continuity which put the project on hold. They were replaced by Chief of Interpretation Tyrone Brandyburg and Superintendent Bess Sherman, who, in early 1997, sought additional funds from the National Park Foundation to restart and complete the work (Figures 25, 26). The National Park Foundation was unable to provide more funding but, recognizing that this loss of continuity due to changing staff is a common problem for NPS sites, allowed additional time to complete the work within the existing budget.³¹⁹ By June 1997, Brandyburg was working on reviewing the text, and had involved the

³¹⁷ Information on the earlier history of the “In Pursuit of Freedom and Equality” curriculum guide in Brown Henderson, 2022.

³¹⁸ Parks as Classrooms Progress Report, May 31, 1996, attached to letter, Robin White to Wilke Nelson, National Park Foundation, May 31, 1996; files of *Brown v. Board of Education NHS*, K18. See also Superintendent’s Annual Narrative for FY 1997, February 20, 1998; NPS Electronic Technical Information Center.

³¹⁹ Wilke Nelson, National Park Foundation to Bess Sherman, *Brown v. Board of Education NHS*, March 7, 1997; files of *Brown v. Board of Education NHS*, L3217.

Brown Foundation along with staff from Kansas State University.³²⁰ Despite these efforts, the proposed CD-based curriculum guide stalled for more than a year and revived only during the next cooperative agreement signed in early 1999.

Although, at this time, the park was allowing tours of Monroe Elementary School, the principal form of in-person interpretation in the late 1990s was at the park's office in the U.S. Post Office. The park had two adjoining offices, one of which was converted for use as a visitor contact space where visitors could watch a short orientation video and view an exhibit that "highlight[ed] the cases involved at the national level," in part using historical photographs that the staff had identified.³²¹ This allowed very limited interaction with visitors, not least because visitors had to request access to the building, which, as a federal facility, restricted access. As Brandyburg recalled, "we had visitors come up, we would take them automatically in, do an orientation and also. . . get the video, and then talk a little bit about it, and then kind of direct them towards Monroe School." Given the limitations of the park's staff, Brandyburg recalled, "the Brown Foundation. . . were doing some of that interpretation for us. . . they were doing some of the programming. . . and were the ones who did a lot more offsite programs than we did. We did a couple, but they did a lot more."³²² A set of the traveling exhibit created by the Brown Foundation and funded by Hallmark Cards, was also used in the park's temporary space to provide visitors with an overview of history of the *Brown* decision.³²³ Superintendent Sherman, in a report to the Regional Director, described the park's interpretation in the summer of 1997:

The large office on the west side of the building has been arranged, where the Interpretive Rangers and a Visitor Area have been arranged. In the Visitor Area, we now show a thirteen minute video, house the NPS Passport stamp, keep [Brown v. Board of Education NHS] brochures and present some table top exhibits for the visitor experience. When we finish with our presentation, the visitor is directed to drive by the Monroe School, on 15th and Monroe Streets, to actually see it. They are now getting an actual tour of the case through audio-visuals, exhibits and an automobile tour of the site. Some organizations and visitors make appointments to see the inside of the building, where we graciously accommodate them.³²⁴

In 1998, park staff embarked on the preparation of a Long-Range Interpretive Plan (LRIP). Through this first LRIP, which remained in draft form as a planning tool, park staff hoped to establish strategies to implement the Interpretation and Visitor Experience Plan that was made part of the GMP completed in 1996.³²⁵ The 1998 LRIP identified eight themes that should be central to the interpretive experience at *Brown v. Board of Education NHS*: the verdict; the effects, discussing both the elimination of racial segregation as official policy and the

³²⁰ Parks as Classroom report, prepared by Brandyburg with input from Regional Interpretation Planner Tom Richter, attached to email from Chief of Interpretation, *Brown v. Board of Education NHS* to Chief of Interpretation, WASO, June 2, 1997; files of *Brown v. Board of Education NHS*, K18.

³²¹ Superintendent's Annual Narrative for FY 1997, February 20, 1998; NPS Electronic Technical Information Center.

³²² Brandyburg, oral history interview.

³²³ Brown Henderson, 2022.

³²⁴ Memorandum, Superintendent, *Brown v. Board of Education NHS* to William Schenck, Regional Director, Midwest Region, August 28, 1997; files of *Brown v. Board of Education NHS*, A54.

³²⁵ See Chapter 3 for a comprehensive discussion of the Interpretation Plan as part of the GMP.

continuation of racism and de facto segregation; the role of the *Brown* decision in the nation's civil rights movement; the people who were involved in the *Brown* case in Kansas, the District of Columbia, Delaware, and South Carolina; the historical context of racial discrimination and prejudice in America; the role of the Constitution in the quest for equal rights; the "Common Denominators" of prejudice, discrimination, and stereotyping; and the role of the *Brown* decision in the international quest for human rights.³²⁶

The LRIP discussed the current interpretation program at the U.S. Post Office, explaining that the seating capacity of fifty was sufficient for most casual visitors but too low for school groups, the orientation film was sufficient but not geared toward children, and the park had no folder or brochure to distribute to visitors. The LRIP proposed the development of a wider variety of formal and informal interpretation services, including offsite presentations and roving interpreters who could interact with visitors and that the park would also begin developing teacher workshops and new programs for school groups. At that point, the LRIP noted, the park did not yet have curriculum-based educational materials.³²⁷

In late 1999 and early 2000, as planning was under way for the rehabilitation of Monroe School and installation of interpretive exhibits, the park faced a nearly complete change in staff. Superintendent Stephen Adams entered on duty in October 1999, replacing Superintendent Bess Sherman, and Chief of Interpretation Tyrone Brandyburg was replaced by Debra Riley, who made a lateral transfer from Jewel Cave National Monument, South Dakota, in May 2000. Park Ranger Qefiri Colbert also resigned in May, and new Park Rangers Teresa Valencia and Randal Standingwater entered on duty.³²⁸ Although the park's interpretive programming continued, much of the park's efforts in the early 2000s were directed toward planning the new exhibits. Annual visitation at the park's office remained at approximately 200 people per year, but park staff and the Brown Foundation regularly contacted more than 10,000 people per year through off-site programs and events.

Research

One of the Brown Foundation's ongoing missions, from the time of its founding in 1988 to the present, is to correct what its leaders see as misconceptions and mythologizing about the *Brown* decision. Given the Brown family's name in the title of the Supreme Court decision, it became easy to construct a popular narrative which excluded not just the other four cases that were part of the decision, but the twelve other families that were part of the Topeka case. Research, therefore, was crucial for the Brown Foundation, together with the need to share the facts of the *Brown* decision and all of its components and contributors. This concern existed also in the new park as staff members sought to present an accurate interpretation, one that could explore the *Brown* decision, its context, legal and constitutional aspects, and legacy on the basis of facts and evidence instead of popular mythology. In the spring of 1994, as discussed in Chapter 3, Site Manager Washington hired graduate student David Barnes on a temporary basis to begin conducting research for the park's first Cultural Landscape Inventory which included an

³²⁶ *Brown v. Board of Education National Historic Site, Long Range Interpretive Plan, 1998; draft report with handwritten notations; files of Brown v. Board of Education NHS.*

³²⁷ *Ibid.*

³²⁸ Superintendent's Annual Narrative Report for FY 2000, January 17, 2001; NPS Electronic Technical Information Center.

extensive summary of Monroe School and the surrounding neighborhood. A more comprehensive research program was soon initiated.

Work on the park's principal research document, the Historic Resource Study (HRS), began in the summer of 1994. An HRS is a substantial reference document, the purpose of which is to present the historical and cultural context of a park and its cultural resources based on extensive research into primary and secondary sources, including written materials and, where appropriate, oral histories. The material presented in the HRS then can provide the basis for the park's interpretive program, a Cultural Landscape Report, and Historic Structures Report, as well as being a substantial historical monograph on its own. In the case of Brown v. Board NHS, where the historical story rather than any individual resource is the most important component of the park's interpretive program, a thorough and well-researched HRS was deemed essential by the Superintendent and by the Regional Office. Earlier in 1994, Regional Historian Ron Cockrell successfully proposed to NPS Chief Historian Edwin C. Bearss a two-year commitment by the Washington Office to fund an HRS at three new units in the Midwest Region: Keweenaw National Historical Park, Michigan; Dayton Aviation Heritage National Historical Park, Ohio; and Brown v. Board of Education NHS. Cockrell then interviewed, hired, and supervised Rachel Franklin Weekley and other new historians in their work, which included the HRS and other duties as assigned. The HRS for Brown v. Board of Education NHS involved extensive coordination with Brown Henderson and University of Kansas Archivist Deborah Dandridge, a Brown Foundation board member, who advised on sources and provided thorough reviews.

Once she was selected to prepare the HRS for Brown v. Board of Education NHS, Franklin Weekley was duty stationed in Omaha and served as the park's historian for the duration of the preparation of the HRS. Franklin Weekley began work on the HRS in August 1994, conducting preliminary research in Topeka and Lawrence, Kansas, and contacting archives and libraries throughout the country to determine the availability and location of useful records and to identify travel requirements for the project. Her initial visit in mid-August 1994 also provided her with an orientation to the park and the park staff: Superintendent Ray Harper and Administrative Manager Teri Perry. At this time also, Franklin Weekley had an initial meeting with Brown Henderson to discuss the general scope of the project, the Brown Family papers at the University of Kansas, and any potential contacts Brown Henderson could provide. On the basis of initial research trips in the late summer and early autumn 1994, Franklin Weekley prepared a Task Directive in late October. The Task Directive, which the park and the Regional Office approved in early November, consisted of a detailed chapter outline and a proposed budget. The HRS Franklin Weekley proposed would include the historic background of the African American experience in Kansas from the nineteenth into the mid-twentieth centuries and the educational opportunities in Topeka during that time. The study would discuss the origins of legal challenges to the "separate but equal" doctrine that the Supreme Court allowed in the 1896 *Plessy v. Ferguson* decision before discussing the origins of the *Brown* case in Topeka. The discussion of the *Brown* case would involve a comparative analysis of the case in Topeka with associated cases in South Carolina, Virginia, Delaware, and the District of Columbia. It would conclude with a discussion of the ramifications of the *Brown* decision from the 1950s to the 1990s.³²⁹

³²⁹ "Task Directive, Historic Resource Study, Brown v. Board of Education National Historic Site, Kansas," executed November 4, 1994; files of Brown v. Board of Education NHS, H3019. Trip reports for Franklin

Throughout the fall of 1994 and into the winter of 1995, Franklin Weekley continued her research in Topeka and Lawrence, Kansas; at the Dwight D. Eisenhower Presidential Library in Abilene, Kansas; and at the National Archives and Congressional Library in Washington, DC. She also conducted multiple oral history interviews with a range of individuals associated with the case, including plaintiffs, attorneys, teachers, and other students. Franklin Weekley experienced some slow response time in securing access to other collections, including the NAACP Legal Defense Fund correspondence at the Library of Congress, which delayed progress on her work. In May 1995, the Regional Office approved a six-month extension of the project, and Franklin Weekley prepared a portion of the draft report for review in the late summer of 1995.³³⁰ In the meantime, NPS was engaged in a massive reorganization that changed Franklin Weekley's relationship with the agency. During the early 1990s, NPS officials began planning for the first substantial reorganization since the 1930s. Designed to combat the combined threats of increasing pressure on natural and cultural resources with reduced funding and Congressionally-imposed limitations on full-time equivalent (FTE) employment levels, the reorganization plan that was implemented beginning in 1995 sought to decentralize NPS by placing more personnel and funding at the local and regional levels. Clusters of parks, from ten to thirty-five per cluster, were to be supported by system support offices overseen by seven Field Director Offices corresponding to the existing Regional Offices, including the Midwest Field Area which remained in Omaha, Nebraska. As a part of this 1995 reorganization, the Midwest Field Area received funding for its own National Historic Landmark and associated external cultural programs. Historian Rachel Franklin Weekley was one of four architectural historians hired into the new Midwest Regional Office in late 1995, which gave her permanent status.

Franklin Weekley submitted her first draft of the HRS for review while this institutional reorganization was taking place. In addition to an initial review by Chief of Interpretation Robin White, who recommended additional oral histories and a deeper understanding of the climate of racism in which Linda Brown lived and first went to school, Brown Henderson, as reviewer for the Brown Foundation, provided a deeply critical review of the report's prologue. Brown Henderson objected to the tone of the prologue and felt that it relied on opinion and perception rather than facts. She also argued that Franklin Weekley appeared to be relying on a popular, media-driven understanding of the *Brown* case. "It may need to be suggested," she explained to Superintendent Harper and Chief of Interpretation White, "that Rachel [Franklin Weekley] rewrite this prologue not as something journalistic but historically accurate and factually accurate."³³¹

Franklin Weekley then delivered a complete draft in the fall of 1996. In November, Brown Henderson, together with her sister, Linda Brown Thompson, and their mother, Leola Brown Montgomery, commended Franklin Weekley for her work. They made a strong request, however, that Franklin Weekley be more inclusive of the plaintiffs in the affiliated cases and

Weekley's frequent visits to Kansas for research and coordination are located in files of *Brown v. Board of Education NHS*; see reports for trips on August 8, 1994; October 12, 1994; October 19, 1994; October 24, 1994; November 14, 1994; and December 12, 1994.

³³⁰ See trip reports cited above.

³³¹ Memorandum, Cheryl Brown Henderson to Ray Harper and Robin White, November 16, 1995; files of *Brown v. Board of Education NHS*. See also Memorandum, Robin White to Rachel Franklin Weekley [sic], October 24, 1995; files of *Brown v. Board of Education NHS*.

place less emphasis on Linda Brown and their family. The singular emphasis on the Brown family, they argued, was a simplistic view that had become popularized to the exclusion of the other families involved in Topeka and in other states. “With the establishment of the Brown Foundation,” they explained,

work began in earnest to give voices and faces to the attorneys and plaintiffs who worked to create change. These individuals sacrificed to make life better for all African Americans. We feel strongly about ensuring an inclusive interpretation of this history. It is important that our family (Oliver and Linda in particular) not be the central focus of the Topeka story. Especially in how you attempt to explain the people and events. The national story must clearly remain diverse as well.

They also asked that the HRS not have photos of Brown family members on the cover or singled out in the report with full-page displays: “It is our desire to be written about and to appear simply as part of the total group of participants.”³³²

Comments from other reviewers on this early draft were not located during the present research. Franklin Weekley continued to work on revisions to the draft HRS throughout much of 1997, clarifying many of the issues raised by the Brown family before submitting a revised draft in the fall of 1997. Despite these revisions, however, Brown Henderson continued to take issue with several points which she had discussed with NPS Historian Harry Butowsky. After observing that Linda Brown Thompson asserted her right to final input on the use of her image, she asserted that she and her family “have spent many hours reviewing this document and are troubled by the inability to resolve these few remaining issues.” While NPS staff would move on to other projects after the HRS was complete, she concluded, “we have to live with the words that are left behind.” Brown Henderson then attached several pages from the draft HRS with extensive recommendations for rewording or deletion, including a complete re-writing of the first paragraph of the prologue.³³³

Brown Henderson had several specific comments. Franklin Weekley had dedicated the HRS to her own nieces and nephews, to which Brown Henderson objected because it was too personal and did not include anyone involved in the case. In addition, she asked that a full-page photograph of Linda Brown from *LIFE* magazine in 1953/1954 be removed from the prologue and a smaller version inserted later in the document. She also requested several wording changes, most extensively in the prologue. In response, Franklin Weekley submitted a rebuttal of these points. Later in 1997, the Cultural Resources Division of the Midwest Support Office sent the draft HRS with Brown Henderson’s comments and suggestions and Franklin Weekley’s rebuttal to three historical scholars for peer review. Associate Regional Director for Cultural Resource Preservation and Partnerships F.A. Calabrese forwarded the results of these peer reviews to Brown Henderson in May 1998, together with the Region’s decision regarding the specific changes that Brown Henderson had requested.³³⁴

³³² Leola Brown Montgomery, Linda Brown Thompson, and Cheryl Brown Henderson to Rachel Franklin Weekley, November 22, 1996; files of Brown v. Board of Education NHS.

³³³ Memorandum, Cheryl Brown Henderson to Craig Kenkel and Rachel Franklin Weekly [sic], October 3, 1997; files of Brown v. Board of Education NHS.

³³⁴ F.A. Calabrese to Cheryl Brown Henderson, May 19, 1998; files of Brown v. Board of Education NHS, H2215. The decision regarding individual comments is not attached to the May 19, 1998 letter, but was located in a separate file. It is assumed that they were delivered at the same time.

Associate Professor of History Robert Weyeneth of the University of South Carolina praised the work, saying that it was “written with verve and a sense of commitment, and I am confident that it will provide a useful basis for management and interpretation at the Brown v. Board of Education National Historic Site for years to come.” Weyeneth agreed with Brown Henderson that the prologue over-emphasized Linda Brown, but he believed that the body of the HRS provided a more even assessment of her role. Agreeing with Brown Henderson that the prologue needed revision, he suggested deleting the initial two paragraphs entirely because they might confuse general readers not familiar with the details of the history of the civil rights movement.³³⁵

Assistant Professor Rainier Spencer of the University of Nevada Las Vegas agreed that the HRS was a well-written and well-documented piece of scholarship. He disagreed with Brown Henderson that the HRS over-emphasized Linda Brown’s role, but also disagreed with Franklin Weekley’s contention that she held the same iconographic role in American history as Crispus Attucks in the American Revolution; Dred Scott, the plaintiff in an 1856 Supreme Court decision that denied the right of African Americans to civil rights under the Constitution; and Homer Plessy, the plaintiff in the *Plessy v. Ferguson* decision.³³⁶ Michael Mayer, Professor of History at the University of Montana, provided by far the most critical review, citing its “amateurish quality,” with poorly-organized chapters, factual errors, and too much extraneous information with too little coverage of other important topics. “With respect to the other reviewer’s [Brown Henderson’s] criticism, some strike me as petty, while others are well taken.” Mayer had few words for Brown Henderson’s suggested revisions, finding little substantial difference in Brown Henderson’s suggested re-wordings. His comments focused on the overall scholarship of the HRS, finding that Franklin Weekley had not taken advantage of some of the more recent scholarship on the *Brown* case and had provided inadequate discussion of the Supreme Court cases leading up to *Brown*.³³⁷

In their determination regarding Brown Henderson’s comments, the Regional Office allowed Franklin Weekley’s dedication to remain but agreed with Weyeneth that the first two paragraphs of the prologue would be deleted and placed, instead, in the epilogue. The photograph of Linda Brown would remain in the prologue, though slightly smaller. With regard to Brown Henderson’s suggested revisions to portions of the text, the Regional Office allowed some passages to remain as Franklin Weekley wrote them but recommended revisions to others. Brown Henderson and the Brown Foundation were not satisfied with the Regional Office response, however, and brought the matter to the attention of NPS Director Robert G. Stanton. With Foundation Board member Ron Griffin, Brown Henderson met with Stanton in the NPS Washington Office in late May 1998, providing him with a packet of information pertaining to the HRS that they had also provided to Midwest Regional Director William Schenk.³³⁸ On June 4, 1998, a meeting among Superintendent Bess Sherman, Chief of Interpretation Tyrone

³³⁵ Robert Weyeneth to Tonya Bradley, April 6, 1998, attached to Ibid.

³³⁶ Rainier Spencer to Tonya Bradley, April 9, 1998, in Ibid.

³³⁷ Michael Mayer to Tonya Bradley, April 27, 1998, in Ibid. A fourth review was conducted by Professor of History John L. Bullion of the University of Missouri-Columbia. This review, sent to Calabrese on February 23, 1998, was apparently requested by Franklin Weekley, and was generally favorable. However, it was not included in the set of peer reviews which Calabrese provided to Brown Henderson.

³³⁸ Cheryl Brown Henderson to Robert G. Stanton, June 1, 1998; files of Brown v. Board of Education NHS.

Brandyburg, Regional Chief of Cultural Resources Craig Kenkel, Regional Senior Historian Ron Cockrell, Rachel Franklin Weekley, and members of the Brown Foundation consisting of Cheryl Brown Henderson, Linda Brown Thompson, Leola Brown Montgomery, Deborah Dandridge, and Charles Scott, Jr. provided further clarification regarding the Foundation's specific concerns and resulted in final determinations. The dedication to Franklin Weekley's family remained in place over the Foundation's objections, though augmented with a statement that linked it to the historic period and the challenges that the *Brown* plaintiffs faced. The photograph of Linda Brown taken by *LIFE* magazine remained in the prologue, though the wording that supported it emphasized the media misrepresentation of the *Brown* story. Other revisions which Brown Henderson suggested generated extensive discussion at the meeting and resulted in several editorial changes for clarity. As a result of the Brown Foundation's active participation over the three-year course of the work, Franklin Weekley concluded in her report of the meeting, the HRS was revised to its final version that allowed it to "serve its intended purpose, that being as a useful reference for the *Brown v. Board of Education* NHS."³³⁹

Although the Brown Foundation agreed to the textual changes that resulted from the June 1998 meeting, they raised objections to the use of historic photographs of children where there was no parental consent to take the photograph. In particular, Brown Henderson asserted that her mother could not recall giving consent to *LIFE* magazine to take photographs of Linda Brown Thompson as a child in 1953/1954. This question of the use of photographs caused the HRS to lay dormant through the rest of 1998 and much of 1999. In December 1999, Brown Henderson informed Franklin Weekley that the Brown Foundation was awaiting legal opinion on the matter. By that time, Franklin Weekley and the Regional Office had made the decision to remove from the HRS the photographs which the Brown Foundation challenged, leaving a blank figure box with the caption in their place, noting that permission to use the photograph had been withdrawn. Finally, in early 2000, Superintendent Steven Adams announced that he would approve the HRS subject to a final editing to remove typographic errors while leaving the blank photograph boxes in place.³⁴⁰

As work on the HRS was winding down, the park undertook a second research effort. A component of the Brown Foundation's cooperative agreement was to conduct a series of oral history interviews. In 1998, the park initially proposed an ethnographic study of the people and resources associated with Monroe and Sumner Schools and the *Brown* decision. As defined in the funding request, the purpose of the ethnographic study was to provide additional information about "the individuals who played a role in the campaign for school desegregation as well as [about] the connections of the African American community to the site." The study would also "provide additional knowledge about the people of the neighborhood near Monroe School and Sumner School."³⁴¹ Later that year, the park transitioned this project from a sole focus on ethnography toward what was its most important component, an oral history project. The purpose of the oral history project was to provide additional information and insight into the

³³⁹ Franklin Weekley to Superintendent, Midwest Support Office, June 16, 1998; files of *Brown v. Board of Education* NHS, H2217.

³⁴⁰ Email, Craig Kenkel to Rachel Franklin Weekley, January 14, 2000; files of *Brown v. Board of Education* NHS, H2217.

³⁴¹ PMIS Project Detail Sheet, Ethnographic Study, *Brown v. Board of Education* NHS, September 22, 1998; files of *Brown v. Board of Education* NHS, PMIS files.

history of the *Brown* decision and the cultural resources associated with the park. The project, which would follow standard NPS protocols for oral history methods, was to include background research into the individuals who would be interviewed, which would require contact with the Brown Foundation and their earlier oral history work. Half of the interview subjects were to be associated with the case in Kansas, and the other half from the other four states and the District of Columbia. The project was not funded in 1999, but, in early 2000, the park received nearly \$28,000 through the Cultural Resource Preservation Fund for the project and, in September, contracted with Polk Consultants based in Lake Elsinore, California, to conduct the work.³⁴²

The project was divided into two phases, to be funded separately. Phase I was to identify the existing oral history interviews pertaining to the *Brown* decision, evaluate their comprehensiveness, determine the need for additional interview topics and categories, and identify the appropriate interview subjects. Based on this assessment, Phase II would include conducting new interviews identified in Phase I. Polk Consultants began work on Phase I in October 2000, with research into the existing oral history information, including the interviews previously conducted by the Brown Foundation as well as other transcripts in the Harry S. Truman Presidential Library in Independence, Missouri, the Kansas State Historical Society, and the Dwight D. Eisenhower Presidential Library in Abilene, Kansas. On a recommendation from Brown Henderson, Polk Consultants sought permission to reduce the percentage of interviews with people associated with the case in Kansas, since so many had already been interviewed, and expand the number of subjects associated with the case in Virginia, Delaware, South Carolina, and the District of Columbia.³⁴³

Based on this preliminary work and additional investigations by telephone and through internet searches, Polk Consultants submitted a Phase I report in early 2001. Reviewers from the park and the Region found the report to be deeply flawed and based on inadequate research. According to NPS protocols for oral history projects, the consultants were expected to visit archives and libraries that contained interviews related to the *Brown* decision in person, including university libraries, local historical societies, and State Historic Preservation Offices, rather than conducting “armchair research” from their office. In addition, the consultants were to follow up on recommendations for potential interview subjects from park and Regional staff as part of their task to seek out potential interview subjects from these sources. The reviewers found that the report’s background research was inadequate and did not take advantage of the recently-completed HRS.³⁴⁴ No correspondence with regard to the Polks was identified after this review, and the Superintendent’s Annual Narrative reports that they were “terminated due to poor performance.”³⁴⁵

³⁴² PMIS Project Detail Sheet, Oral History Study, *Brown v. Board of Education NHS*, December 10, 1998, files of *Brown v. Board of Education NHS*, PMIS files; Oral History Project, Scope of Work, n.d., files of *Brown v. Board of Education NHS*; email, Marty Sutherland to [Brown v. Board of Education NHS] Administration, March 11, 2000; Polk Consultants, Proposal for Oral History Project, U.S. Supreme Court *Brown* Decision, August 30, 2000. No contract award was identified in the current research, but see email, Ron Cockrell to Robert and Judy Polk, September 26, 2000; files of *Brown v. Board of Education NHS*.

³⁴³ Judith L. Polk to Jane Beu, Contracting Officer, October 11, 2000; files of *Brown v. Board of Education NHS*, H22.

³⁴⁴ Consolidated comments on NPS Contract P6145000S010, to Polk Consultants, February 5, 2001; files of *Brown v. Board of Education*, S7221.

³⁴⁵ Annual Narrative Report of the Superintendent, Fiscal Year 2001; NPS Electronic Technical Information Center.

In their place, the park hired two seasonal historians to continue the work and conduct an extensive series of oral history interviews during the summer of 2001. Oloye Adeyemon and Ara Carbonneau were joined by a park volunteer, completing interviews with approximately 160 people in all five states and the District of Columbia that were associated with the *Brown* decision.³⁴⁶ Work on the oral history project continued through early 2004, when Devin Molina, a contractor based in Washington, DC, conducted interviews on behalf of the park. Unfortunately, though he completed several interviews by 2004, Molina had not provided any of the deliverables despite having been paid for the work in advance. After weeks of not being able to contact him, Administrative Officer Katherine Cushinberry sent a letter to him by certified mail advising that the value of the project and the recording equipment was more than \$80,000, and that the park would bill him. As Superintendent Adams recalled, “we wound up getting a Park policeman to track this guy down, go to his apartment, and catch him at home, and offer him the choice of handing the stuff to that officer or going to jail. And he handed the stuff to the officer.” The materials retrieved included notes and cassette tapes of oral history interviews.³⁴⁷ This took place less than two months before the Grand Opening of Monroe School in May 2004, and, in the rush of events surrounding and immediately following the Grand Opening, combined with the subsequent departure of Superintendent Adams, the oral history program was not continued.

Brown Foundation and the 50th Anniversary Commemoration of the *Brown* Decision

The initial phase of the park, and of the role of the Brown Foundation, came to an end with the Grand Opening Celebration in May 2004, when the park officially opened with the completion of the Monroe School rehabilitation and installation of its interpretive exhibits. Chapter 7 includes a discussion of the Brown Foundation’s extensive work with the development of the exhibits. In addition to their work reviewing materials for the new interpretive exhibit, however, the Brown Foundation played three other important roles in preparation for the opening of Monroe School as the *Brown v. Board of Education* National Historic Site in 2004. One was coordinating with park staff to promote the park nationally and build support and awareness for the 50th Anniversary celebration of the *Brown v. Board of Education* Supreme Court decision. Part of Cheryl Brown Henderson’s mission through the Brown Foundation was to promote understanding of the entirety of the case that included plaintiffs from multiple states, not just the case against the Topeka Board of Education. To be as inclusive as possible, Brown Henderson and other members of the Foundation conducted research into the families of the plaintiffs in other states. She and Superintendent Adams traveled to South Carolina, Virginia, Delaware, and the District of Columbia, giving public presentations, meeting those who were affected by the *Brown* decision, and inviting their participation. The two also traveled to other civil rights-oriented sites, including to the Birmingham Civil Rights National Monument in Birmingham, Alabama, and to the Martin Luther King, Jr. National Historical Park in Atlanta, Georgia, to learn from their experiences and to share the news of the rehabilitation of Monroe School at

³⁴⁶ Memorandum, Superintendent, *Brown v. Board of Education* to Regional Director, Midwest Region, August 7, 2001, files of *Brown v. Board of Education* NHS; Superintendent’s Annual Narrative for FY 2001, January 23, 2002, NPS Electronic Technical Information Center.

³⁴⁷ Adams, oral history interview; Katherine Cushinberry to Devin Molina, March 22, 2004; files of *Brown v. Board of Education* NHS, S7417.

Brown v. Board of Education NHS.³⁴⁸ In addition, Brown Henderson arranged meetings with members of the Kansas Congressional Delegation to build support for the park and to ensure funding for the extensive rehabilitation program and the park's operating budget. In the spring of 2001, for example, Brown Henderson reported to the Brown Foundation board of directors that she, "Met with staff of each member of the Kansas Congressional Delegation to request adequate funding for Brown v Board NHS to ensure ability to function at peak by 2003," the proposed year that the Monroe School rehabilitation was scheduled to be completed.³⁴⁹

The Brown Foundation also played a leading role in the national commission to commemorate the 50th Anniversary of the *Brown v. Board of Education* decision. Using a template of other legislation that had created national commissions, the Foundation drafted legislation to establish a *Brown v. Board of Education* 50th Anniversary commission and assisted legislative staff with dialogue for Members of Congress to consider when introducing the bill.³⁵⁰ The commission, and the Brown Foundation's participation in it, was mandated by a law passed in September 2001. The bill which led to the law was introduced in the House of Representatives by Rep. Jim Ryun (R-KS) on June 12, 2001. The bill was passed in the House on voice vote and was sent to the Senate, where it was referred to the Judiciary Committee headed by Sen. Patrick Leahy (D-VT). The Judiciary Committee reported the bill back to the full Senate with amendments on August 2, 2001; the amendments pertained to the process of selecting the members of the commission. The full Senate passed the bill as amended the next day, and, on September 10, 2001, the House agreed to the Senate amendments and passed the bill. It was forwarded to the White House on September 14, 2001, and, on September 18, 2001, President George W. Bush signed the bill into law as P.L. 107-41.

The law required the creation of a national commission to commemorate the 50th Anniversary of the *Brown v. Board of Education* decision. The commission was to execute this purpose by working through the Department of Education to plan and coordinate public education activities and initiatives and by coordinating with the Brown Foundation and other organizations as appropriate for observances of the decision's anniversary. The membership was to be based, in part, on the four states and the District of Columbia where the cases that constituted the Supreme Court case originated (Delaware, Kansas, South Carolina, and Virginia), together with Massachusetts, which had an earlier case challenging segregation in education but was not part of the *Brown* Supreme Court case. Members from these states would be recommended for the national commission by the Senators and Representatives of each state. The Departments of Justice and Education would have two members each, and two members would be recommended by the Chief Justice of the Supreme Court. The Brown Foundation and the NAACP Legal Defense Fund would have two members each, and Brown v. Board of Education NHS would have one member.³⁵¹

³⁴⁸ Adams, oral history interview; Brown Henderson, oral history interview.

³⁴⁹ Brown Foundation board of directors meeting minutes, executive director's report, April 28, 2001; files of Brown v. Board of Education NHS.

³⁵⁰ Brown Henderson, 2022.

³⁵¹ The co-chairs for the commission were Alex Acosta, Assistant Attorney General for Civil Rights, and Gerald Reynolds, Assistant Secretary of Education for Civil Rights. Virginia was represented by Dr. Benjamin W. Robertson, Sr., and Lacy B. Ward, Jr.

The commission met regularly from 2002 through the spring of 2004, traveling frequently to important civil rights sites and coordinating numerous programs and events throughout the nation. Beginning in January 2004, the commission began releasing a weekly electronic newsletter announcing events that had been planned during the past two years and introducing the members of the commission. Universities and other organizations throughout the nation regularly held lecture series, including Claflin University in South Carolina, University of Florida, University of Delaware, Longwood College in Virginia, Penn Center on Dataw Island on the coast of South Carolina, the Anti-Defamation League, and the U.S. Department of State-sponsored multi-day workshops and colloquia. The Levine Museum of Art in Charlotte, North Carolina, mounted an exhibit of art related to school desegregation and held a discussion panel, and several original plays with civil rights themes were written and produced. These included “Now Let Me Fly,” written by Marcia Cebulski with joint sponsorship by the Brown Foundation and Washburn University in Topeka.³⁵² In addition, the national anniversary commission held one of its meetings in association with a major academic conference on the *Brown* decision at the University of Kansas in March 2004. In all of these, the Brown Foundation was a key player, either as an organizer, collaborator, or participant, in all cases providing a degree of legitimacy to the commemorative events.

As part of the national anniversary commission and through its cooperative agreement with the park, the Brown Foundation also played an important role in the 50th Anniversary Celebration at the renovated Monroe School. Through the spring of 2004, a growing list of nationally significant speakers confirmed plans to attend the event, including Secretary of the Interior Gale Norton, Secretary of Education Rod Paige, NAACP President Julian Bond, and former NPS Director and Chair of the National Park Foundation African American Experience Fund Robert Stanton. Then, at the last moment, only weeks before the Grand Opening, the White House announced that President George W. Bush would take part as the lead speaker for the event. Brown Henderson had developed strong relationships over the years with the Kansas Congressional Delegation and with the Republican Party in Kansas and nationally and was able to attract participants to the event. She was instrumental in securing the participation of President Bush (Figure 27).

On the day of the Grand Opening, May 17, 2004, Brown Henderson arranged for Kansas Governor Kathleen Sibelius to host the day’s first event, which included presidential candidate John Kerry on the steps of the Kansas State Capitol building, and, later that day, Brown Henderson was selected to introduce President Bush. Other speakers included members of the Kansas Congressional Delegation, Supreme Court Justice Stephen Breyer, Representative Elijah Cummings (D-MD), long-time civil rights leader Rev. Fred Shuttlesworth, Will Rogers, the president of the Trust for Public Land which had been instrumental in purchasing Monroe School, and Topeka Mayor James A. McClinton. The long-time civil rights leader Rev. Jesse Jackson also attended, though he was not a speaker (Figures 28-30).³⁵³

³⁵² Cebulski’s play is first mentioned in the Brown Foundation board meeting on April 28, 2001; Brown Henderson held a phone meeting with Professor Bruce McTavish of the Washburn University College of Arts and Sciences to confirm the acceptance of Cebulski’s proposal for the commemorative play.

³⁵³ The Brown Foundation’s website provides a list of the speakers at the Grand Opening celebration (<https://brownvboard.org/content/grand-opening-dedication-and-50th-anniversary>). Weekly electronic newsletters produced by the national anniversary commission provide additional information and are available in archived form at

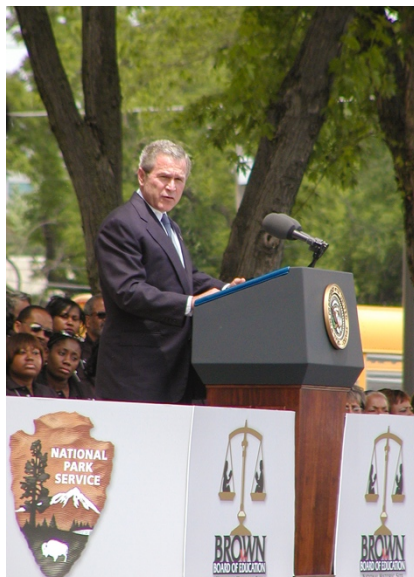


Figure 27. President George W. Bush speaking at the Brown v. Board of Education NHS dedication, May 17, 2004. Photograph provided by Brown v. Board of Education NHP.



Figure 28. Justice Stephen Breyer speaking at the Brown v. Board of Education NHS dedication, May 17, 2004. Photograph copyright William Pope, provided by Brown v. Board of Education NHP.

Approximately 5,500 people attended the event held outdoors with a speaker's platform in front of the school facing the grassy parking area across SE Monroe Street. President Bush, who had entered from the rear of the building to receive a private tour of the new exhibits, emerged from the front door to address the crowd. Bush had made education one of the early hallmarks of his administration through his support for the No Child Left Behind Act of 2001, and claimed in his address that, with the *Brown* decision, "A line had been crossed in American history. The system of racial oppression in our country had lost its claim to legitimacy, and the

<https://www.webharvest.gov/peth04/20041016071255/http://www.ed.gov/about/bdscomm/list/brownvboard50th/briefs.html>.

rising demand of justice would not be denied.” He continued by acknowledging that more work needed to be done: “While our schools are no longer segregated by law, they are still not equal in opportunity and excellence. Justice requires more than a place in a school. Justice requires that every school teach every child in America.” Other speakers issued challenges to President Bush and his policies. Topeka Mayor James McClinton asserted that the Topeka school district was underfunded, and that the Kansas legislators should increase school funding. U.S. Representative Elijah Cummings (D-MD) likewise advocated for increased education funding, noting that predominantly minority schools were suffering: “The greatest threat to our national security is our failure to properly educate our children.” For his part, Supreme Court Justice Stephen Breyer eschewed politics and focused on the important role that the *Brown* decision played in the history of the nation’s Constitution. The Constitution, he argued, “belongs not to the majority or to the lawyers or to the judges, but to each of us. *Brown* helped us to understand that the Constitution is ours, whoever we may be.”³⁵⁴



Figure 29. Rev. Jesse Jackson and Park Ranger Jennifer Flynn at the *Brown v. Board of Education* NHS dedication, May 17, 2004. Photography copyright William Pope, provided by *Brown v. Board of Education* NHP.

³⁵⁴ Quotes from President Bush, Representative Cummings, and Justice Breyer are included in Scott Rothschild, “Celebrating a Milestone: *Brown* at 50,” *Lawrence Journal-World*, May 18, 2004, 1 and 4.



Figure 30. Attendees at the Brown v. Board of Education NHS dedication, May 17, 2004. Front row, L to R: NPS Director Gale Norton, Senator Sam Brownback, Rev. Fred Shuttleworth, Secretary of Education Rod Paige, Brown Foundation President Cheryl Brown Henderson. Back row: Brown Foundation board member Ron Griffin. Photograph copyright William Pope, provided by Brown v. Board of Education NHP.

Interpretation, Education, and Programming, 2004-2021

Once the park had opened and Superintendent Dennis Vasquez entered on duty in July 2004, NPS and the Brown Foundation began negotiations for a third cooperative agreement, executed in February 2005 (see Chapter 4 for details on the negotiations). With the park fully open and new NPS staff being hired, the park and the Brown Foundation embarked on a particularly productive operations mode. Superintendent Vasquez, who entered on duty two months after the Grand Opening, sought to increase visitation to the newly-opened park. “One of the challenges,” he observed, “was that. . .it was never a highly-visited park.”³⁵⁵ Vasquez and Chief of Interpretation William Beteta, who entered on duty in March 2004, worked extensively with the Brown Foundation to develop a series of programs and exhibits in the hope of drawing an increasing number of repeat visitors. As Vasquez recalled, he and Beteta

wanted to bring in art exhibits and film screenings and music things and. . .spoken word activities, and, you know, lots of things. . .we were going out and searching for relevant museum exhibits, like traveling exhibits. And we’d bring them in. And then we had a pretty active marketing there, locally, with the Topeka-Kansas City communities to bring people in, to advertise – bring them in to see these events.³⁵⁶

At the beginning of each year, he continued, he would meet with Brown Henderson to plan events for the coming year. In their planning efforts, “we tried to involve community organizations so that there was some buy-in and they would bring...their audience.”³⁵⁷

³⁵⁵ Vasquez, oral history interview.

³⁵⁶ Ibid.

³⁵⁷ Ibid.

The first full year of operation, through late 2005, set a strong pace for future interpretive and educational projects and public programming. Park staff made an ambitious effort to gain a stronger presence in schools in the Topeka area and established a regular program at the Williams Magnet Elementary School located one block north of the park. As Superintendent Vasquez reported in his Annual Narrative, “On a weekly basis, rangers were present at the school assisting in a variety of educational activities.” Vasquez also met with Superintendents of other area school districts to discuss similar cooperative programs. Park staff coordinated extensively with faculty from Washburn University, including the Washburn School of Law, to develop programs in cooperation with several departments. Vasquez also led efforts to collaborate with the other communities that were connected to the *Brown* decision: Clarendon County, South Carolina; Farmville, Virginia; Wilmington, Delaware; and the District of Columbia. Original plaintiffs and their families from all five cases took part in a three-day commemoration of the 51st anniversary of the decision in Topeka, which helped to establish strong relationships with these communities.³⁵⁸ In November 2005, Superintendent Vasquez joined with Washburn University Professor of Education Timothy S. Fry to chair a panel as part of the National Council for the Social Studies, held in Kansas City, Missouri, focused on strategies to take advantage of the presence of *Brown v. Board of Education NHS*.³⁵⁹

In 2005, the Brown Foundation initiated another program to stimulate the site’s access to educational entities. During the summer of that year, the Foundation established a fund-raising effort to provide support for school districts in the Topeka area that could not afford transportation for field visits. The program originated in a grant from the African American Experience Fund, a program established in 2001 by the National Park Foundation to support NPS sites interpreting African American history. *Brown v. Board of Education NHS* was one of seventeen units of the National Park System to receive a grant of \$5,000 in 2005. The Foundation matched this grant with \$1,000 from the park and \$5,000 from Southwestern Bell Corporation. Goodyear Tire and Rubber Company also contributed \$5,000 in October 2005. Schools could then take advantage of these funds to pay for school buses to take students to the park for tours. By October 2006, park staff reported to the Brown Foundation that the transportation grants had increased the number of school visits by 67%.³⁶⁰

One of Superintendent Vasquez’s earliest goals was to hire an Education Specialist for the park who could coordinate the development of teachers’ guides and activity booklets by the Brown Foundation and expand the park’s outreach. In late summer of 2005, Linda Rosenblum entered on duty as the park’s first Education Specialist, together with her husband, Historian Thom Rosenblum. As Vasquez recalled, when he hired Linda Rosenblum and created a Historian position for her husband, they were a “two-for-one deal. So, I got a historian and an education specialist, and I think that helped move the park forward in our outreach, in our educational outreach, in our popularizing of distance learning programs.” In addition to their work to advance the park’s mission, “I think it helped our relationship with the Brown Foundation, because they saw that we were professionalizing our staff and that we. . . had a capacity that we

³⁵⁸ Superintendent’s Annual Report, Fiscal Year 2005, October 26, 2005; NPS Electronic Technical Information Center.

³⁵⁹ A flyer for the program is located in files of *Brown v. Board of Education NHS*.

³⁶⁰ Brown Foundation Board of Directors meeting minutes, October 14, 2006; KSRL, RHMS 1449, Box 1, Folder 24.

didn't have in the first eighteen months."³⁶¹ Linda Rosenblum developed the park's first distance learning program, creating complete lesson plans, activity sheets, and guided questions.³⁶² Rosenblum also coordinated closely with the Brown Foundation as they continued to work on teacher training, traveling interpretive trunks, and other outreach programs. In late March 2006, Linda Rosenblum traveled to Austin, Texas, with Brown Foundation Program Assistant Chelsey Smith to attend the National Council for History Educators National Conference, making contact with hundreds of history educators and curriculum coordinators and distributing a new teachers' kit and the Brown Foundation activity booklet.³⁶³ In early 2008, the pace of collaboration continued with the design and installation of an exhibit at each of the terminals in the Kansas City, Missouri, International Airport. Also in 2008, the Kansas Department of Transportation finally confirmed locations for highway signs promoting the park.

The list of public events and programs from 2005 through 2010 is extensive, beginning in early 2005 with multiple productions of *Now Let Me Fly*, the play by Marcia Cebulski commissioned by the Brown Foundation and Washburn University for the Grand Opening in 2004. In 2005 also, the Brown Foundation and the park co-presented "Power on Earth," a one-man play written by and starring actor Darryl Van Leer, who first wrote it in 1995 to showcase important and influential African American figures throughout American history such as Nat Turner, Frederick Douglass, Marcus Garvey, and Malcolm X. In March of 2005, the park and the Foundation teamed to host a program featuring Modibo Oera, Justice of the Supreme Court of Ghana, and a five-day summer colloquium in late June focused on the legacy of the *Brown* decision. Later that year, the park held a showing of the satirical documentary ("mockumentary") *The Confederate States of America*, an event which required extensive coordination with the Topeka Police Department given the controversial nature of the film.³⁶⁴

The steady pace of activity continued through the late 2000s as the park and the Brown Foundation collaborated on multiple public events while continuing to work together on the development of a strong educational program. The Superintendent's Annual Reports from 2005 through 2008 record at least one public program every month, often multiple programs in a month, in which the park either acted alone or collaborated with one or more partners, often the Brown Foundation. Late 2006, for example, featured a public lecture by Professor Donald Bogle of the University of Pennsylvania and New York University, and host and commentator for the Turner Classic Movies television network, who spoke about African Americans in Hollywood films. Through the winter of 2006-2007, the park also hosted a traveling exhibit of previously unseen photographs from the *Birmingham News* taken during the civil rights era. The park held showings of other films related to the civil rights movement through the spring and summer of 2008, all of them accompanied by public talks and receptions with people associated with the films, as well as hosting other traveling exhibits.³⁶⁵ More film screenings took place through 2008 and 2009, including providing one of the venues for the International Human Rights Film

³⁶¹ Vasquez, oral history interview.

³⁶² "School Boards, Busing, and *Brown*: A History of Desegregation in Political Cartoons, Videoconference Lesson Plan," no date (c. 2006), files of Brown v. Board of Education NHS.

³⁶³ Brown Foundation Board of Directors meeting minutes, April 22, 2006; KSRL, RHMS 1449, Box 1, Folder 24.

³⁶⁴ See correspondence between Superintendent Vasquez and the Topeka Police Department in September and October 2005; files of Brown v. Board of Education NHS, A7217.

³⁶⁵ Superintendent's Annual Report, Fiscal Year 2007, July 28, 2008; files of Brown v. Board of Education NHS, A2621.

Series in October 2008, along with live performances and traveling exhibits associated with this theme.³⁶⁶

The park initiated a series of annual visitor satisfaction surveys in July 2006. The initial survey was contracted to the University of Idaho Park Studies Unit and was designed to elicit from the visitors what they believed the message of the park to be, how significant it was to the nation, and the visitors' overall satisfaction with the site. The park consistently received strong reviews from visitors. Annual data reports showed 100% satisfaction with facilities and services. Despite these high ratings and the extensive range of programs and educational offerings, park visitation saw a gradual decline in the late 2000s, from a peak of 19,164 in FY 2005 to 15,991 in FY 2008, though annual reports through these years consistently recorded that park staff made many thousands of additional personal contacts through presentations by park staff at meetings, conferences, and educational fairs throughout the country in addition to mailing educational materials to school teachers and conducting distance learning programs and website visits.

Chief of Interpretation William Betata, who had entered on duty in March 2004, resigned his position with NPS in April 2008 to take a position with a private, non-profit organization in Topeka. The position remained without permanent staff until April 2009, when David Schafer entered on duty.³⁶⁷ Although he was named Acting Superintendent barely one month later, when Superintendent Vasquez relocated to Washington, DC, he maintained a strong emphasis on interpretation and programming. Both before and during the tenure of Cheryl Brown Henderson as Superintendent from July to December 2010, Schafer worked to maintain a schedule of events and programs, including a commemoration of the 150th anniversary of the execution of the abolitionist John Brown. During his tenure at the park, Schafer developed several other programs, including a Living History Walking Tour in 2011, in which a Ranger-led group followed a walking tour route and encountered eight people stationed along the way and dressed in living history clothing to interpret different eras between the 1850s and the 1950s. He also developed a bus tour of Topeka, using a bus borrowed from Tallgrass Prairie National Preserve, Kansas, interpreting the transition of Topeka from the 1850s to the 1950s, and he helped to create a new brochure that provided information on Topeka's role in the *Brown* decision. The goal, he recalled, was to find increasing numbers of ways to partner with the community.³⁶⁸

Schafer was joined in this effort by Superintendent David Smith, who entered on duty in May 2011, following the resignation of Brown Henderson in December 2010. Smith recalls being "just blown away" by the site. "It was," he continued, "probably the best that we could do in interpretation in the National Park Service." This was due in part, he recalled, to the work of Brown Henderson and the Brown Foundation. By that time, however, the park's visitation had dropped to approximately 12,000 per year, "which was just a horrifyingly small number to me." By 2011, negotiations over the cooperative agreement with the Brown Foundation had stalled, and the few remaining programs in collaboration with the Foundation came to an end. Working

³⁶⁶ Superintendent's Annual Narrative Report, Fiscal Year 2008, October 23, 2008; files of Brown v. Board of Education NHS.

³⁶⁷ Superintendent's Annual Narrative Report, Fiscal Year 2008, October 23, 2008; files of Brown v. Board of Education NHS. See also Brown Foundation Board of Directors, Information Update, March 20, 2009; KSRL, RHMS 1449, Box 1 Folder 28.

³⁶⁸ Schafer, oral history interview.

together with Schafer, Superintendent Smith sought to increase the park's outreach to community groups. He also hired Angela Estep to serve as Education Specialist in 2011, replacing Linda Rosenblum, who accepted a transfer to the Washington Office.³⁶⁹

Superintendent Smith actively sought opportunities for engagement with new audiences and entered into several new partnerships, including the Boys and Girls Clubs of Topeka and Lawrence, Freedom's Frontier National Heritage Area, the Washburn University Art Department, and others to provide curriculum-based, after-school, and summer programs. The partnership with the Boys and Girls Clubs of Topeka and Lawrence, for example, led to the creation of a summer camp, a three-week program for children from Missouri and Kansas who would visit natural and cultural parks throughout the region. With the Washburn University Art Department, the park arranged for a children's art program in which the results would be displayed on Monroe School's hallway walls. His focus, he recalled, was to stimulate a lot more working outside the park than working in the park. . .for the summer program...for a month or so, we had staff that were getting on school buses each day and going off to where John Brown had his first battle just before the war or going to the state historical museums, to walk through Tallgrass Prairie, or things like that.

He also engaged with the Student Conservation Association (SCA) which, since 1957, had organized student interns to work at natural and cultural state and national parks throughout the nation to support the park with summer youth programs. The work of Superintendent Smith and his staff paid off, as visitation increased to approximately 25,000 per year during his tenure.³⁷⁰

The often-rapid pace of staff turnover that characterized the site in the late 1990s resumed between 2013 and 2020. Chief of Interpretation Dave Schafer left the park in 2013, taking a lateral transfer to Lyndon B. Johnson National Historical Park, Texas, and was replaced by Stephanie Kyriazis, who transferred to the park after serving as an education ranger at Death Valley National Park, California, and then Acadia National Park, Maine. She held the position of Chief of Interpretation for two years, transferring to St. Gaudens National Historic Site, New Hampshire, in November 2015. The position then remained vacant until May 2016, when Enimini Ekong entered on duty as Chief of Interpretation after making a lateral transfer from Little Rock Central High School National Historic Site, Arkansas. In August 2014, meanwhile, Superintendent Smith accepted a lateral transfer to serve as Superintendent at Joshua Tree National Park, California. He was replaced by Sherda Williams, who entered on duty in January 2015.

Williams, working with Chiefs of Interpretation Kyriazis and Ekong, continued to expand the relationships that Smith and Schafer had fostered and also to develop new ones. As Williams recalled, one of the priorities which the Regional Office established for her was "to continue a strong focus on partnerships and educational outreach to kids." With the park still sorting out its approach to programming in the wake of the split from the Brown Foundation and the transfer of what had been the Foundation's annual budget line item to the park, the Regional Office

³⁶⁹ The position had been listed in early January 2011, before Superintendent Smith entered on duty, but remained vacant until Smith hired Estep in November 2011.

³⁷⁰ Smith, oral history interview.

“expected us to show that we were using that [budget] effectively to increase engagement of kids and increase our interpretive outreach.”³⁷¹ One of the key programs for the park in 2015 was to coordinate with the Topeka Metro bus service on the 60th anniversary of Rosa Parks initiating the Montgomery bus boycott of 1955-1956. Topeka Metro partnered with Brown v. Board of Education NHS and the Topeka School District to have buses specially wrapped to commemorate Rosa Parks, and the park’s Education Specialist and Chief of Interpretation coordinated with the School District to create interpretive panels within the buses. The buses then went to each school in the district, where park staff met it to provide a lesson about the bus boycott to the students. Other outreach programs during Superintendent Williams’ tenure included providing interpretive materials for Constitution Hall in Topeka, coordinating with the Kansas African American Heritage Trail, hosting events at Monroe School, including an Outward Bound overnight experience, and continuing to host film series.³⁷²

From March 2020 through the spring of 2021, Williams also oversaw the development of new interpretive strategies during the COVID-19 pandemic, when the park was closed to all visitors. In accordance with NPS mandates and in an attempt to continue to share the story and significance of the *Brown* decision, park staff substantially improved the park’s website content. In addition, park staff, largely through the efforts of Park Ranger Preston Webb, also began working to develop interpretive content for cell phone applications, including partnering with Freedom’s Frontier National Heritage Area to share content. In addition, Park Ranger Zionjah (Joan) Wilson developed a digital tour of Monroe School for the Google Expedition platform.³⁷³ The park prepared virtual, online programs to celebrate the 67th anniversary of the *Brown* decision. Training Specialist Nick Murray and Park Ranger Dexter Armstrong prepared a series of social media posts highlighting the events leading up to the decision and coordinated with three speakers to deliver virtual presentations on May 17, 2021.

Long-Range Interpretive Plan

In late 2011, the park began planning for a Long-Range Interpretive Plan (LRIP). Harpers Ferry Center was contracted to lead the document’s development and, in turn, contracted with Interpretive Solutions Inc. to prepare the document. The HFC assembled a planning team that included the entire interpretive staff from the park, Associate Regional Director Clara Wooden, Attorney Charles Scott, Jr, whose father was one of the attorneys on the original *Brown* case in Topeka, and representatives from area junior high and high schools. This was the first substantial attempt to reassess the park’s primary mission after the park formally opened in 2004. As the final LRIP stated, “After nearly a decade of observation of visitation and programming, the time is ripe to create a long-range vision for the park’s interpretive and educational programming.”³⁷⁴ The project began with a series of community meetings and listening sessions seeking public input on the purpose and values of the park, its role in the community, and the kinds of programs and events that would be of interest to visitors, including remote visitors. The planning team used comments from the public meetings in late 2011 and early 2012 to consider again what were the most important interpretive themes and the best ways to convey them. By February

³⁷¹ Sherda Williams, oral history interview, February 24, 2004.

³⁷² Ibid.

³⁷³ Now available at [Brown v. Board of Education — Google Arts & Culture](#). See Superintendent’s Annual Report for Fiscal Year 2021, draft copy provided to the author.

³⁷⁴ *Brown v. Board of Education National Historic Site*): *Long-Range Interpretive Plan*, July 2012, 9.

2012, the team had identified five principal themes: the *Brown* Supreme Court case as the culmination of legal battles to achieve racial equality, the legacy and impact of the decision, the history of race relations in Kansas, the role of the five separate communities behind the cases that were part of the *Brown* case, and the role of the case as a reminder to continue to fight for liberty, equality, and justice.

This process included a thoroughgoing reevaluation of the interpretive exhibits that had been installed in Monroe School in 2004. The LRIP team evaluated each of the existing exhibit's components and the film in terms of their ability to represent the five key interpretive themes. Reviews overall were positive, though all members of the team recognized the need for revisions. Some aspects of the historical context were missing, such as information about Topeka and its role in the cases and information about more recent civil rights issues. In addition, nearly all found the lack of artifacts and tactile components in the exhibits to be a problem. A general consensus was that having a restored classroom in Monroe School would be an important step in rectifying this deficiency. Finally, the team took into consideration an accessibility study of the exhibits completed in 2009; additional information about this assessment can be found in Chapter 7.

The team prepared a Draft LRIP for release in May 2012. The document went through only brief revisions before the Final LRIP was issued in July 2012. It is a comprehensive document addressing the existing educational and interpretive framework and plans for future improvements. Through the LRIP, the park identified five primary themes: the *Brown* decision as the culmination of many decades of political and legal struggles, the legacy of the *Brown* decision as the basis for later civil rights activities, the educational and legal context of Topeka and Kansas in relation to the *Brown* decision, the role of the other four local communities in the *Brown* case, and the decision as an inspiration and call to action. Beyond these themes, the LRIP identified a set of desired visitor experiences that included not just learning basic historical information about the *Brown* decision and the history of racial injustices in America but also the creation of emotional connections and opportunities for visitors to exchange thoughts and impressions with park staff and other visitors. The LRIP included a mix of existing strategies to be expanded, including fostering more community partnerships and creating more curriculum guides with new approaches. In particular, while recognizing the primacy of the overall story, the LRIP included a greater willingness to engage and display artifacts. Additionally, although following in the tradition of the Brown Foundation's earlier work to ensure that the communities outside of Kansas that were part of the *Brown* case were included in the story, the park adopted new initiatives to include the particular history of Topeka and Kansas in response to a point which many visitors over the past seven years had made.

The LRIP team analyzed the existing and proposed interpretive and educational offerings, which resulted in identification of nine categories of interpretive services: onsite personal services, onsite educational programs, offsite educational programs, offsite outreach (non-educational), onsite exhibits, special events and traveling exhibits, media, accessibility, and interpretive infrastructure. Each of these categories had several commonalities, including an emphasis on opportunities for dialogue, development of curriculum-based programming, highlighting community outreach, and the role of the park as a catalyst for conversations about human rights. A new emphasis, however, was "on the experiences of Topekans and Kansans"

that would strengthen the park's ties with the surrounding community. Regarding onsite interpretation and education, the LRIP placed a strong emphasis on interaction with visitors, offering adults, students, and children the opportunity to engage in conversation. The technique of "dialogic tours" would allow rangers to facilitate interactions among visitors with diverse viewpoints in safe and encouraging ways; although this approach might not work for all visitors, it would allow the park to create new experiences.³⁷⁵

This approach could also be used for school tours, though the park's primary goal for onsite education would be the creation of "educational experiences that meet the curriculum needs of teachers." The park would build on the progress made by work groups consisting of local teachers who developed curriculum guides for all age groups beginning in 2012 and would place a greater emphasis on teacher training opportunities. Offsite educational programs, meanwhile, would focus on the development of Topeka-specific curricula for grades 4-12, which the LRIP identified as "a pressing, short-term need." In addition, the park would continue to support the bus grants, first developed by the Brown Foundation, and the more recent after-school programs.³⁷⁶ For its offsite outreach initiative, the park would work to expand its partnerships with a variety of community organizations, including the Shawnee County Historical Society and Constitution Hall, to support joint interpretation as well as attempts to support historic preservation issues in the Topeka area, and community dialog and listening sessions with the Topeka and Shawnee County Public Library. In addition, discussions among the LRIP team resulted in "recognition of the need for the park to work more closely with the four other communities involved in the *Brown v. Board of Education* lawsuit." While expanding the recognition of citizens in Topeka "is an immediate need, broadening interpretation to embrace these other communities is also a priority." To support this goal, the park would enhance the existing interpretation of the other communities and collaborate with those communities to develop new interpretive and educational opportunities including virtual tours of the four sites to be made available through the internet.³⁷⁷

The LRIP also recognized the need to revise the existing interpretive exhibits at Monroe School. A combination of staff observations of visitor interactions with the exhibits since 2004 and public input during the LRIP process "generated some good direction for enhancing the effectiveness of the park's exhibits." The park had already begun work on a new set of wayside exhibits for the Monroe School grounds and throughout Topeka, but a full reassessment of the exhibits inside the school generated additional planning efforts. In 2009, the park had commissioned an accessibility study of the building and its exhibits and had begun work to implement a number of the recommended changes. Also, as described in Chapter 7, the park had recently contracted for an Exhibit Concept Plan that would include an evaluation of visitor experiences for all age groups and recommendations for a revised exhibit. Because of its centrality to the visitor experience at Monroe School, Chapter 7 will provide an expanded discussion of the park's interpretive exhibit, from its planning and installation in 2004 through the revisions following the LRIP in 2012.

³⁷⁵ Ibid., 33-34.

³⁷⁶ Ibid., 35.

³⁷⁷ Ibid., 37-38.

Chapter 7: Interpretive Exhibits

During its early years, while still based in the U.S. Post Office building in downtown Topeka, the park staff relied on an introductory video to provide visitors with an interpretive experience, supplemented by a small exhibit. Superintendent Ray Harper conducted extensive correspondence with individuals, libraries, and public entities seeking sources of historic photographs for all five of the cases, with the goal of having sufficient images for exhibits and other publications. In addition, Historian Rachel Franklin Weekley identified many historic images, for use in the Historic Resource Study and in the exhibits. As the park's first Chief of Interpretation, Robin White recalled, the development of a small exhibit that could be used for outreach programs and in the Post Office was one of her responsibilities. The resulting exhibit was modest, however, and, by 1997, the park's focus was turning toward planning for the permanent exhibit in Monroe Elementary School. As discussed in Chapter 6, the rehabilitation of the school was a massive and thorough three-phase project. Phase I consisted of the restoration of the exterior to its period of significance in approximately 1950, and Phase II consisted of the renovation of the interior to serve as a visitor center, house interpretive exhibits and audiovisual displays, and provide offices for the staff and the Brown Foundation.

Phase III of the overall Monroe School rehabilitation project was the planning, design, construction, and installation of exhibits. The initial planning work of this phase was taking place throughout the earlier phases of work on the school, but the construction and installation of exhibits had to await completion of Phase II work on the interior. The initial goal of the overall project was to have work on the interior completed by summer of 2003 so that the exhibits could be installed, with a "soft" opening of the building well in advance of the Grand Opening celebration on May 17, 2004, the 50th Anniversary of the *Brown* decision.³⁷⁸ The project overall, however, encountered many delays and challenges, with the result that installation of the exhibits was completed just in time for the Grand Opening celebration.

From the earliest years of the park, and as clarified during the GMP process, the most important aspect of *Brown v. Board of Education* NHS was the story, not the building or the artifacts. The preeminence of the interpretation program, through which the story of the *Brown* decision and its context, legacy, and broader meaning for American history and society would be conveyed to the park's visitors, was manifested by the presence of a discrete and lengthy Interpretation Plan as a component of the GMP. Inevitably, it was during Phase III that the Brown Foundation was most involved and played a vital role.

Staff from the Denver Service Center and the Harpers Ferry Center coordinated with park and Midwest Support Office (MWSO) staff in March 1998 to begin planning for two Value Analysis (VA) workshops, the first of them in April 1998. As the Project Agreement for this planning phase for the exhibits stated,

Interpretive media will be the primary park experience in commemorating the significance of the *Brown v. Board* decision and its impact on our American

³⁷⁸ Steve Adams to Jana Denning, April 29, 2003; files of *Brown v. Board of Education* NHS, A3815.

culture. . .It is critical that this project be fully integrated with the overall project for rehabilitation of the Monroe School.³⁷⁹

Chief of Interpretation Tyrone Brandyburg, who was part of the initial exhibit planning team, recalled that the park was one of the first units of the National Park System to use the VA process for exhibits in addition to building renovation and construction. The choice to use the VA process for the exhibits at *Brown v. Board of Education* NHS, he explained, was

Because we were looking at immersing people into that resource, meaning coming in, getting a feel of what ‘separate but equal’ meant. That’s one of the concepts that we were looking at. . .And that was our focal point around the Value Analysis.³⁸⁰

The VA workshops were led by DSC Historical Architect Rich Turk and HFC Exhibit Planner Mitch Zeitlin. Through the summer of 1998, Superintendent Sherman continued to work with the Regional Office to secure line-item construction funds for FY 1999 and FY 2000. In March 1999, the park hosted a second Value Analysis workshop for the visitor experience, and, in August 1999, the MWSO produced a report in preparation for submittal to the DAB which summarized the alternative approaches to the interpretive exhibits.

The report presented four alternative approaches. The “Composite Alternative” was a traditional visitor center experience featuring “a wide array of media supported by personal services, for ‘a something for everyone’ atmosphere.” Under this alternative, the school would feature an orientation in the auditorium, and an in-depth exhibit with interactive media would present additional information about the *Brown* decision and the other cases, while a separate room would have media and exhibits oriented toward young children. The “Culture History” option was similar to the first but would place greater emphasis on the *Brown* decision within the context of African American history. This alternative would not have the dedicated children’s room but would have a “dialogue room” where discussion with other visitors or park staff would be encouraged. The “Experience Alternative” diverged from the first two by expanding the range of options to include experiential exhibits that would “convey a sense of segregation to visitors and to encourage them to consider the legacy of the *Brown v. Board* case and how the many differences between human beings serves as a critical foundation for a healthy, evolving culture.” The exhibits would be non-traditional, involving physical barriers that represented “unexpected encounters with prejudice and segregation.” The “Dialogue Alternative” was designed to promote discussion and contemplation, with the entry hall providing “an audio/visual experience of images and sounds of people in discussion.” The auditorium would provide the principal historical overview of the *Brown* case, while four theme rooms would feature interactive media and exhibits focused on freedom, equality, opportunity, and achievement, and encourage visitors to enter into dialogue with one another or with a Park Ranger stationed in each room. In addition, this alternative would include park sponsorship of seminars, workshops,

³⁷⁹ Project Agreement, *Brown v. Board of Education* National Historic Site, Media/Exhibit Design, Planning, and Fabrication for Monroe School,” March 1998; NPS Electric Technical Information System.

³⁸⁰ Brandyburg, oral history interview.

conferences, and retreats and establish “a national and international reputation as a center for dialogue for equality and opportunity in public education.”³⁸¹

The fifth alternative was identified as “Discovery and Discourse” and was the preferred alternative. It combined elements of both the “Dialogue” and the “Experience” alternatives in which “A graduated series of opportunities for dialogue invites visitors to think beyond the tangible facts of the case to the universal concepts of opportunity, inclusion, decency, human rights, citizenship, the role of law, and achievement.” The exhibits would include a variety of media targeted to different learning styles, featuring interactive exhibits with multiple-choice and open-ended questions designed to spur dialogue, a seating area for discussion, and opportunities for written expression. The key for this alternative, according to the report, was visitor choice: “Each visitor decides how much he or she wishes to engage with the media and other people. Exhibits and media are designed to provide an educational and meaningful experience even if the visitor chooses not to enter into group dialogue.”³⁸²

Although having input into all three phases of the work at Monroe Elementary School, the Brown Foundation played a crucial role in the successful development of Phase III by serving as a subject matter expert for the interpretive exhibits and audiovisual displays. In mid-January 2001, Superintendent Adams signed a revised Project Agreement with HFC and the Midwest Regional Office on behalf of the park for the development and installation of exhibits. The management team consisted of Adams, HFC Exhibit Designer Mitch Zeitlin, and Historical Architect Jim Creech and Contracting Officer Theora McVay, both from MWRO. A Support and Review Team included regional specialists for architecture, curation, and interpretation, two members of the park staff (Chief of Interpretation Debra Riley and Maintenance Worker Treva Sykes), and Brown Henderson representing the Brown Foundation.³⁸³ In February, Brown Henderson and Foundation board member Deborah Dandridge traveled with park staff to HFC to review proposals for the exhibit design.³⁸⁴ Planning for the new exhibit and visitor experience continued throughout the spring and summer of 2001. In September 2001, the Midwest Regional Office awarded a contract for Phase III work to Hillmann & Carr, Inc., based in the District of Columbia. Hillmann & Carr then contracted with Haley Sharpe Design Ltd. to assist.³⁸⁵

The project team, consisting of park, regional, and HFC staff, met at Monroe Elementary School for the Value Analysis workshop for the exhibits with Hillmann & Carr in mid-November 2001. After meeting with park staff and Brown Foundation members Brown Henderson and Dandridge in early January 2002 regarding the overall themes and story line for the exhibit, the contractors worked through the winter and early spring on the approach for the site. In its proposal for the overall exhibit and interpretive experience, the Hillmann & Carr team envisioned an extensive series of audio-visual

³⁸¹ Project Review Report, Brown v. Board of Education NHS, August 2, 1999; files of Brown v. Board of Education NHS.

³⁸² Ibid.

³⁸³ Project Agreement, Exhibit Planning, Design and Installation for Monroe School Visitor Center, Package 100, January 18, 2001; files of Brown v. Board of Education NHS.

³⁸⁴ Brown Foundation board of director’s meeting, executive director’s report, February 24, 2001; files of Brown v. Board of Education NHS.

³⁸⁵ Email, Superintendent, Brown v. Board of Education NHS to DAB, September 27, 2001; files of Brown v. Board of Education NHS.

programs in several rooms throughout the first floor. These included an orientation program in the auditorium using a series of six rear-projection screens to create an immersive experience. Five more audio-visual programs were planned for three other rooms: two exhibit galleries and a reflection room for contemplation and reflection. The programs in the two galleries were to serve as immersive and interactive exhibits, using a combination of video loops, computer kiosks, and traditional panels, that focused on specific themes: Equality in Education, Little Rock, other civil rights issues including voting rights and employment, and future needs for civil rights in America. The organization of these themes changed during subsequent reviews, but the intent to use modern technology to create an immersive, multi-media experience remained key.³⁸⁶ In his application for the park to be a member in the International Coalition of Historic Site Museums of Conscience in January 2002, Superintendent Adams described the goal of the exhibits and audiovisual materials, to

expose the visitors to the chronological, economic, social, Constitutional, political, and legal context of *Brown* and the Supreme Court's decision. Some exhibits and spatial experiences will be psychologically uncomfortable and are designed to provoke visitors to challenge their own beliefs and values. Visitors will be able to provide feedback through interactive exhibits.³⁸⁷

In the galleries, the audio-visual components would supplement traditional panel-based exhibits, while the auditorium presented the orientation video meant to encapsulate the major themes of the park. A draft of the orientation program in May 2002 described the intent of the orientation as “an immersive mixed media audio-visual environment”:

The program contained within provides context for the exhibit rooms to be experienced later by the visitor. Six video screens, one large image continue [sic], graphic and photographic banners, sculpture, theatrical lighting and audio work in concert to present a history of the struggle that led to the landmark Supreme Court Ruling in *Brown v. Board of Education* and the impact it had on race relations in the United States. Five short video segments or chapters constitute the media experience. Though each stands alone as a coherent story, together they form a greater narrative whole.³⁸⁸

In a review of a later draft of the orientation video in September 2002, Foundation board member Deborah Dandridge proposed “Race and the American Creed” as one of two possible working titles, a powerful phrase that has since been used in several instances in more recent years. As Dandridge recalled, “the statement in the major auditorium, they took directly from me! . .

³⁸⁶ Hillmann & Carr Inc., AV Treatment Draft #2, May 2, 2002; files of Brown v. Board of Education NHS.

³⁸⁷ Draft entry for [Brown v. Board of Education NHS] for International Coalition of Historic Site Museums of Conscience, attached to email, Steve Adams to Liz Sevchenko, January 17, 2002; files of Brown v. Board of Education NHS.

³⁸⁸ Hillmann & Carr Inc., AV Treatment Draft #2, May 2, 2002; files of Brown v. Board of Education NHS.

.Well, and then I got it from somewhere else. The American Creed, and so that was a part of it.”³⁸⁹

In his review of the proposed treatments for each of the several audio-visual components in the spring of 2002, Superintendent Adams emphasized the need for the contractors to consult more closely with historical scholars to ensure that they understood the nuances in terminology and context. He announced a plan to organize a panel of such scholars to support the project and required that Hillmann & Carr meet with them before preparing scripts for the audiovisual treatments. This meeting, attended by Dandridge, Brown Henderson, Brown Foundation board member and Washburn University Law School Professor Ronald Griffin, and University of Kansas Professor of American Studies William Tuttle, spanned two days in early June 2002. Despite this meeting, a lack of attention to scholarship was a recurring theme in reviews of the proposed interpretive media throughout 2002. Dandridge was particularly tenacious in her reviews of subsequent audiovisual treatment plans and scripts, pointing out factual inaccuracies as well as ill-advised implications in the contractors’ submittals. In May 2002, for example, she argued that the second draft of the audiovisual treatment plans revealed

a lack of understanding about how to reconstruct the past for significance and meaning. In addition, the historical and contemporary issues of U.S. race relations and the African American experience are interpreted in ways that engender reinforcement of prevailing notions of ‘race’ and destructive views about Black and White participants of this story’s past.³⁹⁰

These frustrations continued throughout the summer and into the fall. In October, she wrote to Adams asserting that, after multiple meetings and reviews, “I’m deeply concerned about the future success of this project. I do not understand why NPS has not included major scholars in the development of the exhibit’s story, especially since the subject is very complex and requires the insight and input of authorities in the field.” In response, Adams explained that Hillmann & Carr was required to hire a subject-matter expert (SME) as part of their contract and had agreed to contract with Dr. Deborah Lynn Mack, a consulting scholar in African American history. They were not able to come to an agreement with Dr. Mack, however, and “in effect, they have not had a SME on staff since the beginning of the project. The absence of that SME has been obvious in its impact on the project, and has been the subject of many conversations” within NPS management. They had, however, finally convinced Hillmann & Carr to hire Dr. Mack, who would be available in November 2002.³⁹¹

Mack’s presence on the Hillmann & Carr team clearly helped future reviews of audiovisual scripts proceed more smoothly, and, in April 2003, a revised Project Agreement paved the way for the final development: installation of the new exhibits and audiovisual package. In the agreement, Hillmann & Carr and Haley Sharpe Design were required to consult with subject-matter experts and with the Brown Foundation, who remained available for

³⁸⁹ Deborah Dandridge, oral history interview, February 26, 2020. See also Memorandum, Brown Foundation to Steve Adams, September 30, 2002; files of Brown v. Board. The other proposed working title was “Race in America.”

³⁹⁰ Memorandum, Deborah Dandridge to NPS Exhibit Team, May 10, 2002; files of Brown v. Board of Education NHS.

³⁹¹ Email, Deborah Dandridge to Steve Adams et al., October 8, 2002; reply, Adams to Dandridge et al., October 8, 2002; files of Brown v. Board of Education NHS, K14.

reviews.³⁹² Drafts of scripts and audiovisual treatment plans through the rest of 2003, located for this research, show that comments were oriented more to tightly-focused points of facts or information and less on substantial historical critiques. In August, as the team was finalizing scripts and video productions, the installation date was announced as January 5, 2004, which allowed the new interpretive media project at Monroe School to be substantially complete by the Grand Opening on May 17, 2004.

In early 2003, as the park was continuing to move forward with planning for the new exhibit, Superintendent Adams and Chief of Interpretation Debra Riley worked with contractors Hillmann & Carr to plan and design a new website for the park. As proposed, the new website would include an interpretive gallery based on material developed for the exhibit as well as historical information, directions to the site, management documents such as the annual performance plans and budgets, volunteer opportunities, and planning documents for download.³⁹³

Members of the park staff who entered on duty after the Grand Opening had a chance to experience the exhibits with fresh eyes upon their arrival, and all were impressed. Superintendent Dennis Vasquez entered on duty in June 2004, one month after Monroe Elementary School opened to the public. Vasquez had a long history in NPS by that time and had visited many of the Service's museums. Upon arriving at the park, he recalled, "I walked in, and I said Wow! . . . I'd never seen a museum like this in a National Park." His first impression was that "this is the finest museum in the National Park Service."³⁹⁴ In 2009, Chief of Interpretation David Schafer transferred to Brown v. Board of Education NHS from Washita Battlefield National Historic Site, Oklahoma. Schafer recalled being particularly impressed when he arrived by the immersive nature of the exhibits, the sense of being involved in the civil rights movement.³⁹⁵

Changes to the Interpretive Exhibits, 2011-2015

The Monroe Elementary School, both interior and exterior, have remained largely the same since completion of the rehabilitation and opening in early 2004. Three alterations, however, occurred in response to the experience of using the building and listening to the visitors. When it was built, Monroe Elementary School had a kindergarten room located in the southwest corner of the building. The room was built with a fireplace on the south wall and its own restroom on the north wall. During the Phase II rehabilitation planning process, the team elected not to restore the room as a kindergarten but to use it as a reflection and dialogue space and a venue to show an orientation video. Over the succeeding years, park staff began installing exhibits in the room as well. Visitors to the park, however, frequently mentioned in their comments that they would like to see a classroom in the school. Finally, in 2013, Historian Thom Rosenblum, together with Chief of Interpretation David Schafer and Facilities Manager Treva Sykes and with the support of Superintendent David Smith, began work on restoring the kindergarten room as a classroom space. Rosenblum conducted research on the use of

³⁹² Project Agreement among Brown v. Board of Education NHS, HFC, and MWRO for Interpretive Media Development, attached to transmittal memorandum, Associate Manager, Workflow Management to Regional Director, April 22, 2003; files of Brown v. Board of Education NHS, A6437.

³⁹³ Emails among James Edwards (Hillmann & Carr), Adams, and Riley, March 20-31, 2003, with attached draft website and layout information; files of Brown v. Board of Education NHS.

³⁹⁴ Vasquez, oral history interview.

³⁹⁵ Schafer, oral history interview.

kindergartens in schools of the 1920s and located film footage from one of the other African American elementary schools in Topeka that showed the kindergarten. Rosenblum and Smith coordinated with the Topeka School District to acquire historic classroom furniture and equipment to furnish the space to allow its use both as an exhibit and as a functioning classroom space for school visits.³⁹⁶ Work on the project continued through 2013, and the kindergarten room opened in 2014.

Original plans for the rehabilitation of the Monroe Elementary School interior located the educational bookstore in one of the former classrooms on the west side of the hallway near the north end of the building.³⁹⁷ As discussed later in Chapter 9, Superintendent Adams recommended that Southwest Parks and Monument Association (SWPMA, which changed its name to Western National Parks Association [WNPA] in 2002) be allowed to serve as the cooperating association for the park and operate the bookstore. Education Specialist Linda Rosenblum, who entered on duty in 2005, recognized the challenges posed by that location from the perspective of park staff members, who also staffed the bookstore on behalf of the WNPA. This meant that there were times when no park staff was at the building's entrance to greet visitors. At Rosenblum's suggestion and with the support of Acting Superintendent David Schafer, WNPA agreed in 2009 to relocate the bookstore to what had been the First Aid and Ranger station on the right side of the entrance hallway. This change facilitated keeping a Ranger near the front entrance at all times to greet visitors and also created an additional programming space on the first floor, which was soon used for after-school programs and also served as an election polling place.³⁹⁸

The most substantial of the alterations, however, came with the exhibit itself as a result of visitor comments, staff observations, and evaluators with whom NPS contracted to assess the building's accessibility. Two staff members from the National Center on Accessibility (NCA), an independent entity created by a cooperative agreement between NPS and Indiana University, visited the park in April 2009. These NCA staff members looked at the building itself for physical barriers, and at the exhibits and publications for program accessibility. Regarding the physical amenities, evaluators reported that seats placed throughout the building were moveable, but that the force or strength required to move them could create a barrier to those in wheelchairs, a particular concern when they were placed at computer exhibit terminals. Many of the interior doors, likewise, required more than the maximum amount of force to open, which was defined as five pounds, and the hardware on several of the drawers containing discovery items was too closely spaced and "cannot be easily operated with the heel of the hand or a closed fist," to allow those who cannot open their hands to open them. The evaluators found that the front doors were not wide enough, the restrooms were not fully accessible, and the ramp to the front entrance was too steep to be used without handrails.³⁹⁹ Facilities Manager Treva Sykes implemented many of the recommended changes, including rebuilding the ramps to the front

³⁹⁶ David Smith to Dr. Julie Ford, June 7, 2013; files of Brown v. Board of Education NHS. See also oral history interviews with David Schafer, Treva Sykes, Katherine Cushinberry.

³⁹⁷ See Chapter 4 regarding discussions among Interim Site Manager Sandra Washington, the Midwest Regional Office, and the Brown Foundation in 1994 regarding the possibility that the Brown Foundation might serve as the park's cooperating association to operate the educational bookstore.

³⁹⁸ Schafer, oral history interview.

³⁹⁹ "Accessibility Assessment for Brown v. Board of Education National Historic Site, Key Findings & Recommendations," ND (assessment date: April 6-8, 2009); files of Brown v. Board of Education NHS, A5427.

entrance at a lower pitch and adding the necessary rails and other improvements to the restrooms, though she successfully argued that the front entrance doors were the correct width.⁴⁰⁰

More substantial comments from the NCA evaluators focused on the exhibits. Among the more important findings was that the park needed to improve facilities for visitors with visual impairments. These improvements included adding an audio tour, developing assistive listening services, and updating the interactive computer kiosks. In addition, the exhibit panels featured text that was too small and without enough contrast between text and background to be easily read. The NCA evaluators also found that noise was an issue, as sounds from the various videos and interactive displays and the auditorium tended to blend together in a way that could cause confusion. In addition, lighting in the exhibit came in for particular criticism as being too reliant on track lighting that created too much contrast—glare in some areas, shadows in others—while the level of light varied dramatically. Beyond these findings, the NCA evaluators provided specific comments on each of the exhibit galleries, including challenges that visitors with varying abilities would have with the interactive computers, opportunities for the introduction of tactile exhibits, videos without audio descriptions, and inaccessible text on panels and flipbooks.⁴⁰¹

The park first sought to address the problems with lighting in 2012, when the park contracted with Yeager Design, LLC to provide a formal evaluation, taking into consideration the comments from the NCA evaluation in 2009. Rather than replacing the track lighting, Yeager Design recommended modifications to the existing lighting to highlight specific panels and exhibits, with dimmers to allow more specific control of individual lights and to maintain a standard color temperature throughout the exhibits. Within the individual galleries, Yeager Design found that the lighting was inconsistent, with too few electrical outlets to allow the degree of control that was needed. Regarding the glare on the panels as noted by the NCA evaluators, however, Yeager Design argued that this could not be solved by lighting alone, since the panels relied on a glossy surface: “It is nearly impossible to eliminate all reflections on the graphics without replacing them with a new graphic with a flat finish.” Other visibility issues in the galleries, they opined, could be addressed with more track lights aimed at specific panels or exhibits. In total, Yeager Design estimated that its recommended improvements would cost approximately \$90,000.⁴⁰² The park took these recommendations into account when requesting funding for a new lighting and sound system that would be compliant with the Americans with Disability Act (ADA) in October 2013.

The proposed new lighting scheme was cancelled as a stand-alone project but was incorporated into a larger set of improvements to the original 2004 exhibits. Park staff in 2012 contracted with Interpretive Solutions, Inc., which had recently completed the park’s LRIP, to develop a new Interpretive Concept Plan (ICP). The purpose of the ICP was to make recommendations for revisions to the exhibit that were based on the park’s new Long-Range

⁴⁰⁰ Sykes, oral history interview.

⁴⁰¹ “Accessibility Assessment for Brown v. Board of Education National Historic Site, Key Findings & Recommendations.”

⁴⁰² Yeager Design LLC, “Brown v. Board of Education National Historic Site Exhibit Lighting Assessment Report,” August 2, 2012; files of Brown v. Board of Education NHS.

Interpretive Plan (LRIP).⁴⁰³ The LRIP's emphasis on increased dialogue with visitors, greater emphasis on the stories of people in Topeka and their involvement in the *Brown* case, additional interpretation of the experiences of people in the other four communities associated with the *Brown* case, and more opportunities for interactive and hands-on experiences were translated into plans for the new exhibits. The ICP supported the reconstruction of the kindergarten room, in keeping with feedback from the Topeka community. In the principal galleries, the original timeline panels would be replaced with new panels emphasizing the primary interpretive themes. As defined in the LRIP, these themes are: the *Brown* decision as the culmination of a century of struggles and legal challenges to achieve racial equality, the impact of the *Brown* decision on the later civil rights movement, the Topeka and Kansas roots of the *Brown* case, the experiences of the other four communities that led to their participation in the *Brown* case, and the legacy of the *Brown* decision as a call to action toward equality and justice for all. All galleries were to include audiovisual components and interactive computer kiosks and desks. In addition, the park would solicit input from the other four communities in the *Brown* case, allowing comparisons between the experiences of participants in the different cases. The ICP also included recommendations for improved visitor flow, and for organizing visits by the three principal audiences: large school groups of up to one hundred, community members, and neighborhood youth.⁴⁰⁴

A second contractor, Mystic Scenic Studios, then took the general outline and recommendations of the ICP to prepare a more detailed schematic design for the new exhibit and to plan for its construction and installation. These improvements, the planning for which began in late 2013, incorporated changes to make the exhibits more accessible in accordance with recommendations from the 2009 evaluation. This included additional tactile elements, improved legibility for the graphics, ADA-compliant audiovisual elements, and improved lighting. In addition, park staff worked with the Harpers Ferry Center to incorporate an increased emphasis on the local Topeka events and people leading up to the *Brown* decision, the details of the *Brown* case, and the arguments before the Supreme Court, as well as to bring the story up to the present. The new schematic design included plans for improving lighting and controlling sounds from the various audiovisual displays. Mystic Scenic Studios also pointed out the need to secure permissions for a range of photographs, artwork, and music used or planned for use in the new exhibit and prepared a draft schedule.⁴⁰⁵ On the basis of input from the park, Mystic Scenic Studios prepared a revised schematic design for the exhibit in the spring of 2015, including details of the new exhibit panels and objects. This comprehensive plan provided text for all panels, description of objects to be used for tactile exhibits, audio files for each section and explanations for how they would be controlled, and historic photographs to be used in exhibits, with their captions.

While providing a good deal of new information and substantially improving the exhibit's accessibility through lighting, new tactile elements, and surface materials, Mystic Scenic Studios also sought to complement the original exhibit as much as possible, replicating fonts, styles, and colors wherever possible. The revised exhibit also featured new artwork,

⁴⁰³ See Chapter 6 for a discussion of the LRIP.

⁴⁰⁴ Interpretive Solutions, Inc., "Brown v. Board of Education National Historic Site Interpretive Concept Plan," Revised February 11, 2013; files of Brown v. Board of Education NHS.

⁴⁰⁵ Mystic Scenic Studios, "Brown v. Board of Education National Historic Site, Schematic Design I—Revised Submittal," January 31, 2014; files of Brown v. Board of Education NHS.

including a bas relief collage inspired by the art of Aaron Douglas, an African American painter of the early twentieth century, featuring images of people who had a role in the civil rights movement. Other illustrations were to be in a neo-realistic, Art Deco style. All labels, including photo captions and instructions for the interactive computer kiosks, had both braille and printed letters. After minor revisions by park staff, the new exhibit materials were fabricated and installed in 2015.

The park's exhibits are all located on the first floor of Monroe Elementary School; the second floor is reserved for staff use, including offices, meeting spaces, and break rooms. Visitors typically enter through the central front door of the school, within a three-bay limestone vestibule that projects slightly from the east façade. Double entrance doors are set within a second, one-story projecting bay with "Monroe" carved into the limestone above the doors. Visitors pass through these doors to a short entrance hall, with the Ranger station and educational bookstore on the right and tables with scale models of schools involved in the *Brown v. Board* decision displayed on either side of the entrance hall. Models of the Topeka schools are on the right, and models of the South Carolina schools on the left as visitors enter the building (Figure 31). The models are displayed on open tables so that visitors may explore them tactically. The entrance hall leads to the main hallway, which runs the entire length of the building, with signs for "White" and "Colored" suspended from the ceiling above the junction (Figure 32).



Figure 31. Monroe Elementary School, entrance hall, 2021. Photograph by the author.



Figure 32. Monroe Elementary School, first floor hallway, 2021. Photograph by the author.

Directly across from the entrance hall is the Auditorium, where visitors can view the introductory movie, *Race and The American Creed*, and see additional exhibits on moveable panels while smaller screens suspended from the balcony encircling the Auditorium show additional images (Figure 33). The two principal interpretive galleries, with multiple stations for interactive displays and computer terminals interspersed with panel exhibits, are located on the east side of the building north of the entrance, and a third interpretive gallery with space for visitors to leave comments and reflections is on the east side of the building south of the entrance. One of the two dolls used by psychologists Kenneth and Mamie Clark, who employed them in sociological studies of children to understand children's attitudes toward race and whose research was cited in the *Brown* decision, is located in Gallery A, "The Road to Brown." The restored kindergarten room is at the south end of the building on the west side (Figure 34).



Figure 33. Monroe Elementary School, auditorium, 2021. Photograph by the author.



Figure 34. Monroe Elementary School, kindergarten, 2020. Photograph by the author.

Wayside Exhibits

The park began working with HFC in 1995 to develop wayside exhibits. In his initial plan for wayside exhibits, HFC Historian and Planner John Hennessy proposed an extensive series of exhibits at Monroe Elementary School and at related sites throughout Topeka. As Hennessy explained in his plan,

Wayside exhibits—the most site-specific of media—can play an important role by emphasizing to visitors that the *Brown vs. Board of Education* Story goes beyond the courtroom and even the classroom. Wayside exhibits can help to connect visitors to the community—the homes, churches, public buildings, and schools that collectively help tell the story of people waging a peaceful uprising against unjust law.

Even limiting the wayside exhibits to only the most critical aspects of the *Brown* story, Hennessy identified Monroe Elementary School, the surrounding neighborhood, the Scott, Scott, Scott &

Jackson Law Offices (the law firm that provided legal services to the NAACP and that initiated the case against the Topeka Board of Education), the former federal district courthouse (at that point, the U.S. Post Office), one of the plaintiff's churches, the Sumner School, the home of plaintiff Lucinda Todd, and the Washburn University School of Law as suggested locations for wayside exhibits for the Brown v. Board of Education National Historic Site.⁴⁰⁶



Figure 35. Monroe Elementary School west façade with wayside exhibit panels, 2021. Photograph by the author.

The idea lay dormant until early 2001, when rehabilitation of Monroe Elementary School was about to enter its active phase and planning for the interpretive exhibits was well under way. Superintendent Adams requested assistance from HFC to begin planning for new wayside exhibits specifically at Monroe Elementary School. As the rehabilitation began, he explained, interest in the project was growing in Topeka and “an interim wayside exhibit is needed to explain the historical context of the school, and different preservation needs the rehabilitation will address, and the source of the project funding.” Park staff had prepared recommended copy for the waysides which Adams provided to HFC. Regional Planner Tom Richter worked with Adams to revise the text, and, in early March 2001, Adams authorized HFC to charge the cost of fabrication to the park.⁴⁰⁷ This temporary wayside panel to provide public information about the Monroe School rehabilitation project was removed after 2004. Planning for the two current wayside exhibits on the park grounds began in late 2013, during the development of revised interpretive exhibits in Monroe Elementary School, with a set of draft designs ready for review

⁴⁰⁶ John Hennessy, “Brown vs. Board of Education of Topeka NHS: The Role of Wayside Exhibits,” attached to Memorandum, Richard Hoffman, HFC to Tyrone Brandyburg, Brown v. Board of Education, NHS, June 29, 1998; files of Brown v. Board of Education NHS, D6215. The memorandum points out that Hennessy wrote the plan in 1995, and that it “is clearly a preliminary look at the site.”

⁴⁰⁷ Memorandum, Superintendent, Brown v. Board of Education NHS to Chief, Division of Wayside Exhibits, HFC, February 15, 2001, with attached copies of emails among Adams, Richter, and HFC Technical Assistance Program Manager Winnie Frost through early March 2001; files of Brown v. Board of Education NHS.

in April 2014. The plan contained eleven wayside exhibits for placement on the park grounds and at select locations in Topeka (Figure 35). These included a general introductory panel designed to be placed in the playing field, and panels that discussed the neighborhood, specific information about the school, the people involved in the *Brown* case, the playing field, the new geothermal system, and three buildings that relate to the case: Constitution Hall, the Ritchie House, and the Buchanan School. While these waysides were being developed, the park installed temporary exhibits in the former playing fields across Monroe Street from the school. The waysides were completed and installed in 2015.⁴⁰⁸

⁴⁰⁸ Smith, oral history interview. See also Schafer, oral history interview.

Chapter 8: Community Relations

Like many National Historic Sites created in the last several decades, particularly those focused on themes related to civil rights, Brown v. Board of Education NHS is set within an urban environment. Not just located within a neighborhood on the edge of downtown Topeka, though, the park occupies what was once the heart of nearly all urban neighborhoods: its school. Although the school had been closed for more than fifteen years by the time the park was established, it remained an important part of the surrounding community. This close connection between its principal facility and the neighborhood created the potential for benefits as well as difficulties as NPS staff began its work in the early 1990s. Although neighbors might be upset by the arrival of NPS and an increase in traffic, the hope was that the attention that NPS was giving to the school could stimulate revitalization and create a sense of pride of place. The GMP addressed the issue by stating that “The National Park Service will provide technical assistance to the city/neighborhood to retain the ambiance of the neighborhood as a residential area and ensure compatible uses.”⁴⁰⁹ The goal of the park was ably stated by Interim Site Manager S ndra Washington, who sought “a more robust relationship” between the park and its neighbors. Her goal, she recalled, was “we’re not just a national park, we’re a neighborhood park.”⁴¹⁰

The surrounding neighborhood when the park was established, however, had been in decline for many years. As Washington recalled, “the neighborhood was rougher then[,] than it was and is now.” Cushinberry Park, located on the other side of the Monroe School playing field to the east, was “very active with. . .unsavory behavior. I won’t say characters.” The Topeka Police recommended that NPS staff not be in the neighborhood after dark, particularly alone, and Facilities Manager Treva Sykes recalled that there were a “couple things that happened that made me very aware that ‘You are alone down here.’” A neighbor was frequently inebriated, she recalled, and frequently asked her for help, “So I learned to just talk to him. . . through the door. So, yeah, it was different.”⁴¹¹ Former Topeka Deputy City Manager and Community Development Director Randy Speaker more cautiously noted that “the Monroe School, quite frankly, was located in what we call a disinvested area. In other words, money and value had been leaving the neighborhood rather than coming into it.” As the number of renters in the neighborhood increased and homeownership decreased, the requirements for city services, including police and fire due to increased levels of crime, increased.⁴¹²

As part of her work to activate the park, Washington began with the Monroe Neighborhood Improvement Association (MNIA), a community group whose goal was to bring positive change to the neighborhood. In a letter to City of Topeka Community Development Coordinator Dale Cushinberry after her first meeting with the MNIA, Washington observed that “It is encouraging to know that neighbors of the Monroe School are conscientious citizens with the will and desire to do whatever it takes to improve their neighborhood. The spirit and dedication of this group really shows!”⁴¹³ In addition to her work with the local neighborhood, Washington also sought to establish relationships throughout the City of Topeka, an approach

⁴⁰⁹ *General Management Plan*, 18.

⁴¹⁰ Washington, oral history interview.

⁴¹¹ Sykes, oral history interview.

⁴¹² Randy Speaker, oral history interview, February 25, 2020.

⁴¹³ Washington to Dale Cushinberry, March 22, 1994; files of Brown v. Board of Education, A22.

that all successive Superintendents have adopted. Although she was told originally that she could oversee the initial management of the park remotely from her office at the Midwest Regional Office in Omaha, Nebraska, a three-hour drive along north-south U.S. Highway 75, she soon felt the need to have a more consistent presence in Topeka and relocated to Topeka so that she could begin meeting with local civic organizations.

Superintendent Rayford Harper, who entered on duty in July 1994, immediately took up the emphasis on establishing relationships throughout the city. In his Annual Report for 1995, for example, Harper reported that community relations “was the most time-consuming aspect” of his job for that year. The list of presentations he made is extensive, including the Greater Topeka Chamber of Commerce, Rotary, Kiwanis, and Downtown Topeka, Inc., and he also maintained memberships in several civic organizations in Topeka. To stimulate even closer relationships between the park and the city, Harper along with Brown Henderson also sponsored a trip to Birmingham, Alabama, “for select local leaders and government officials.” While there, they toured the Civil Rights Institute and met with Birmingham civic leaders. “All who attended,” he reported, “were inspired by the obvious positive impact that the Institute had on the surrounding neighborhood.” The meetings with civic leaders, he continued,

fuelled discussions and planning efforts by these local leaders to support [Brown v. Board of Education NHS] and incorporate the National Historic Site into the community’s planning efforts. This was a very effective forum for building public support for the Site and developing a sense of community trust, ownership and inclusion.⁴¹⁴

As a part of its outreach to the neighborhood, the park, in 1996, initiated one of its longest-standing programs, taking part in the MLK-A Day On, Not a Day Off! events in Topeka. Although Martin Luther King, Jr. Day is a federal holiday, park staff reported to work with volunteers from more than fifteen local organizations to pick up litter from the site and the surrounding neighborhood, a pattern that continued in 1996 with National Parks Week and the first annual March for Parks in Topeka. Superintendent Harper and Chief of Interpretation Robin White also continued to speak to local civic groups, promoting the park and its mission.⁴¹⁵ This outreach to local groups expanded in the late 1990s under the leadership of Superintendent Bess Sherman, who entered on duty in October 1996 and gave presentations to numerous civic organizations in Topeka and in the surrounding region, including Kansas City.⁴¹⁶

As discussed in Chapter 1, one of the most significant developments in the surrounding neighborhood was the construction of a new magnet elementary school, the Mamie Williams Elementary School. This school, named in honor of a prominent and long-standing African American teacher in Topeka, was the result of a finding by the Tenth Circuit Court in 1989 that the Topeka School Board had not fully complied with the desegregation order from the first *Brown v. Board of Education* decision in 1954. After the Supreme Court denied a hearing of the case in 1992, the Topeka School Board (Unified School District [USD] 501) began planning for three new elementary schools. Initial planning for the three schools was, therefore, under way just as the park was beginning its operations, and, in the summer of 1994, Superintendent Harper

⁴¹⁴ Superintendent’s Annual Narrative for FY 1995; files of Brown v. Board of Education, A2621.

⁴¹⁵ Superintendent’s Annual Narrative for FY 1996; files of Brown v. Board of Education, A2621.

⁴¹⁶ Superintendent’s Annual Narrative for FY 1997; files of Brown v. Board of Education, A2621.

was invited to take part in planning meetings. While supporting the idea of a school close to the park, Harper informed city planners that “if a site adjacent to the national park is selected, there are specific concerns related to design, location, circulation patterns and buffer zone [sic].” He requested that NPS planners also be invited to work with USD 501’s architects and planners.

Plans for the new school were taking place at the same time that the park was preparing the GMP. Among the thorny issues which the GMP was meant to address was parking spaces for visitors. Following his meeting with USD 501, Harper asked that USD 501 and the City of Topeka work with NPS to help resolve parking issues.⁴¹⁷ At that point, the school board envisioned building the school on the block directly north of Monroe School and suggested that their parking lot could serve both the park and the school. By 1995, however, following an inability to acquire the land from a private landowner, the Williams Elementary School was constructed in 1996 one block to the north. Although the park retained a good relationship with the school, the school was not incorporated into the park’s outreach activities until 2011, when Superintendent David Smith and Chief of Interpretation David Schafer instituted an after-school program there. The after-school program was a collaborative effort in which students were brought to the park on Friday afternoons for a program, and park staff also took part in school programs.⁴¹⁸

Park staff worked actively to expand their presence in the community in the several years leading up to the Grand Opening in 2004. Chief of Interpretation Tyrone Brandyburg, for example, coordinated with the City’s Planning Department on a grant to create the Shunga Trail, an urban trail network to include parks and historic sites in the Topeka area and incorporate the historic Missouri-Pacific Railroad bed on the east side of the playing field; in 1999, the park took part in celebrations for the opening of the trail segment from Monroe School to Cushinberry Park and helped to clear trash and invasive vegetation from the trail.⁴¹⁹ Later, in 2000, the park joined with nearly a dozen other local and statewide groups including the Kansas State Historical Society, the Kansas Humanities Council, the Topeka Landmarks Commission, and local historical societies and museums to form the Topeka Area Heritage Alliance. This was a short-lived group created to offer mutual support and coordination of activities in support of heritage tourism.⁴²⁰

A turning point for relations between the park and the surrounding neighborhood came in 2004 with the celebration to commemorate the fiftieth anniversary of the *Brown v. Board of Education* decision with the opening of Monroe Elementary School. It was already to be a large, elaborate, and well-attended event, but it was made significantly larger in the weeks leading up to the event when President George W. Bush announced that he would take part. The work of planning the event, from the perspective of NPS staff, was, in a way, then made easier, as the Secret Service took control of many of the arrangements in order to assure the president’s safety.

⁴¹⁷ Rayford Harper to Vernon Jarboe, September 9, 1994; files of *Brown v. Board of Education* NHS, A78.

⁴¹⁸ Schafer, oral history interview.

⁴¹⁹ Todd Girdler to Tyrone Brandyburg, September 9, 1999, files of *Brown v. Board of Education* NHS; Memorandum, Superintendent, *Brown v. Board of Education* NHS to Regional Director, Midwest Region, State Coordinator Report, January 16, 2000, files of *Brown v. Board of Education* NHS.

⁴²⁰ Memorandum, Superintendent, *Brown v. Board of Education* NHS to Regional Director, Midwest Region, State Coordinator Report, December 7, 2000, files of *Brown v. Board of Education* NHS. See also Steven Adams to Bob Swan, Topeka Ethnic Heritage Project, April 10, 2001; files of *Brown v. Board of Education* NHS, A3821.

The work of the City of Topeka, however, immediately increased by orders of magnitude. Although the City of Topeka had encouraged and supported the Monroe Neighborhood Improvement Association and other community efforts to improve the neighborhood through the 1990s, little had changed. Speaker recalled that “the real key came when we knew that the president was going to be here.” With little advance notice, Speaker and the City of Topeka raced to make plans to improve the neighborhood, “and that caused all the city departments to come together and not just have their own silos.” In the brief period before President Bush’s arrival, the City of Topeka arranged for the construction of two houses in the neighborhood and rehabilitated more than twenty others. The City of Topeka also enlisted an enormous volunteer corps of more than 2,000 people, picking up trash and trimming trees. The local Target department store, for example, “brought in a hundred people on a Saturday, all in their red shirts, and went through the neighborhood.” This intense effort, he concluded, “really focalized the community spirit of coming together for something. . . that was going to change our community.” The City also took on a supportive role for security, working with the Kansas Bureau of Investigation to locate rental houses that were vacant at the time of the president’s visit so that the Secret Service would have multiple locations for viewing the entire setting.⁴²¹

In the wake of the president’s visit, the City of Topeka continued to support the neighborhood by identifying grants such as the Community Development Block Grant program, to stimulate investment in the community while also working with the Federal Home Loan Bank. The City also coordinated with area businesses to support improvement measures. The visibility provided by increased public and private attention to the neighborhood beginning in 2004 helped to reduce the amount of crime which, in turn, helped to stimulate property values at a time when property values in the City generally were declining.⁴²²

The MNIA was particularly active in the years leading up to the Grand Opening. The organization was focused on the need for a comprehensive plan that would allow for local zoning changes. According to the City of Topeka Planning and Development Department, the Monroe Neighborhood is one of the few in the city without a Neighborhood Plan.⁴²³ The MNIA, in late 2002, pointed out that the City of Topeka had failed to provide a comprehensive plan for the neighborhood and had declined to support an application for grant funding to prepare one. The MNIA then urged the City to complete a neighborhood plan before the Grand Opening, but to no avail. The matter remained unresolved; in December 2003, Superintendent Adams reported on a City Planning Commission hearing “on a proposed down-zoning of the Monroe East neighborhood. The controversy over this plan is evolving quickly.”⁴²⁴ The MNIA was not successful in getting a comprehensive neighborhood plan before the Grand Opening and was dissolved in September 2003 after failing to file its Annual Report. The MNIA has been reconstituted in recent years, however, and currently holds monthly meetings at Monroe Elementary School. The Monroe Neighborhood remains one of the poorer neighborhoods in

⁴²¹ Speaker, oral history interview.

⁴²² Ibid.

⁴²³ [Neighborhood & Area Plans | Planning \(topeka.org\)](http://topeka.org/neighborhood-planning).

⁴²⁴ Memorandum, Superintendent, Brown v. Board of Education NHS to Regional Director, Midwest Region, State Coordinator Report, December 10, 2003, files of Brown v. Board of Education NHS.

Topeka and consistently is identified as an “Intensive Care” neighborhood in need of particular assistance.⁴²⁵

As discussed at length in Chapter 6, the park embarked on an ambitious series of public events during the six years following the Grand Opening in 2004. These programs included lectures, film screenings, and temporary exhibits, most carried out in association with the Brown Foundation. All of these took place either in part or entirely at Monroe Elementary School, bringing more people into the neighborhood. Beginning in 2011, the park made a renewed effort to reach into the neighborhood and the surrounding community to bolster its attendance. The park also sought to fulfill its legislative mandate to “assist in the preservation and interpretation of related resources within the city of Topeka that further the understanding of the civil rights movement.” The LRIP, completed in 2012, urged exploration of new ways to collaborate with the Shawnee County Historical Society and the Friends of Constitution Hall.⁴²⁶ In 2013, the park collaborated on the first of a set of bus and walking tours of civil rights related sites in Topeka. The two also “collaborated to bring increasing numbers of school groups, and created an interpretive wayside panel, interpretive brochures, and other products that illustrate our shared themes and history.”⁴²⁷ Other initiatives to support local and regional historic sites included the execution of a two-year cooperative agreement with the Territorial Kansas Heritage Alliance (TKHA) in 2014, through which the TKHA facilitated a collaboration with Freedom’s Frontier National Heritage Area in eastern Kansas and western Missouri. Through this cooperative agreement, the TKHA created a Summer Youth Initiative, providing regional students the opportunity to tour some of the more than 300 historic and cultural sites associated with the Freedom’s Frontier National Heritage Area.⁴²⁸ The Cooperative Agreement was extended for two two-year terms through 2020, when Superintendent Williams coordinated with the Regional Office to develop a new five-year cooperative agreement. As Williams explained, “The scope shifts focus slightly from the previous agreement, but continues collaborative efforts to boost regional exposure to the [Brown v. Board of Education NHS] story.”⁴²⁹

The cooperative agreement with Freedom’s Frontier sought to strengthen ties to other heritage sites in the region. At the same time, the park initiated planning for the 65th Anniversary of the *Brown* decision in May 2019. Unfortunately, the longest federal government shutdown in history, from December 22, 2018, to January 25, 2019, severely impacted the park’s ability to plan for the event as staff had hoped. Instead, Chief of Interpretation Enimini Ekong proposed a short series of speakers who were prominent in current civil rights issues. The park then collaborated with Washburn University to host the series which included Ta-Nehisi Coates, a prominent journalist and the author of three books pertaining to race relations in America, and Dr. Ibram X. Kendi, Professor of History at Boston University and author of five books on anti-racism. At the same time, the park provided support to the Brown v. Board-Sumner Legacy Trust that had also arranged for a series of speakers in recognition of the anniversary. The efforts of the Brown v. Board-Sumner Legacy Trust, recalled Superintendent Williams, clearly broadened the

⁴²⁵ [Neighborhood & Area Plans | Planning \(topeka.org\)](https://www.topeka.org/planning).

⁴²⁶ *Long Range Interpretive Plan*, 37.

⁴²⁷ Sherda Williams to Topeka Landmarks Commission c/o Tim Paris, Mach 24, 2015; files of Brown v. Board of Education NHS, A3815.

⁴²⁸ Annual Performance Report, Cooperative Agreement between National Park Service and Territorial Kansas Heritage Alliance, October 30, 2014; files of Brown v. Board of Education NHS.

⁴²⁹ Superintendent’s Annual Narrative Report, Fiscal Year 2021, draft report provided to the author, June 17, 2021.

scope of what the park was able to do and leveraged its resources to fulfill the park's legislative mandate to "interpret the integral role of the Brown v. Board of Education case in the civil rights movement."

Chapter 9: Administration

Park Activation: Interim Site Manager Sändra Washington

Following the establishment of *Brown v. Board of Education NHS* in October 1992, the Midwest Regional Office moved quickly to begin activating the park. Midwest Regional Director Don Castleberry assigned Outdoor Recreation Specialist Sändra Washington to serve as the Interim Site Manager. Washington had served on the study team before the park's establishment and was, thus, familiar with the site and its significance. Castleberry gave her the assignment in November 1992 with the assurance that she could oversee the park's activation from her office in Omaha: the park had no staff, and Monroe School remained under private ownership. After commuting to Topeka for several months, Washington realized that she needed to be based in Topeka and relocated there in the spring of 1993. As she recalled of her conversations with Castleberry, "'Hey, I don't have a place. You keep telling me this is a temporary thing, and so I guess I don't need to put down roots,' but then, it was, like, 'I probably should join the Rotary. I probably should do some things that say that the Park Service is here.'"⁴³⁰

Although Washington did not have any role in the purchase of Monroe Elementary School, which was completed in the winter of 1994, she was instrumental in establishing other foundational aspects of the park during her term as Interim Site Manager. Among her priorities was to lead the negotiations with Cheryl Brown Henderson and the Brown Foundation regarding a cooperative agreement by which NPS could provide funds to the Brown Foundation to develop interpretive material, continue their existing oral history program, and conduct outreach to local schools and civic groups on behalf of the park. Another of her priorities was to identify office space in Topeka to serve as the park's temporary headquarters until Monroe Elementary School could be acquired and rehabilitated. She initiated the process in January 1993 with a request to the General Services Administration. Later that year, she was introduced to Topeka Postmaster Al Lewis by Brown Henderson, whom she asked about office space in the U.S. Post Office in downtown Topeka, which was also the former U.S. District Courthouse where the original *Brown v. Board of Education* case was heard. As she recalled, "And so I said, 'Do you have any office space?' The gentleman was very nice, and he said, 'We do lease offices.' And I said, 'Great!' Because I'm trying to figure out. . . what's the easiest way.' The easiest way would be to go into a federal facility." Washington made a formal request to the U.S. Postal Service in October 1993 to lease three offices in the building, rooms 332, 334, and 334A, with a total area of 1,425 square feet including a restroom. With the approval of Regional Director William Schenk, who had succeeded Castleberry by that time, Washington agreed to the terms of the lease, and took occupancy on December 1, 1993.⁴³¹

Sändra Washington served as Interim Site Manager from November 1992 until July 1994. She worked with the Regional Office to develop an ambitious staffing plan that included seven full-time equivalencies (FTEs): a superintendent, two interpretive rangers, an administrative clerk, two seasonal workers, and two maintenance workers, all within an operating budget of \$300,000. During her tenure, however, Washington hired only one

⁴³⁰ Washington, oral history interview.

⁴³¹ Sändra Washington to Vicki Gruber, October 21, 1993; Gruber to Washington, November 2, 1993; William W. Schenk to Debbie Munroe, November 18, 1993; files of *Brown v. Board of Education NHS*, A8027.

permanent employee. Administrative Assistant Teri Perry entered on duty on February 20, 1994, transferring from Lincoln Boyhood National Memorial, Indiana, where she served as an Administrative Technician. Perry remained at Brown v. Board of Education NHS through 1998.⁴³²

The First Superintendent: Rayford Harper

As discussed in Chapter 3, Washington was also responsible for coordinating the initial work on the GMP, arranging for basic maintenance of Monroe Elementary School, hiring temporary staff to begin work on the park's Cultural Landscape Inventory, and conducting extensive outreach on behalf of the park in Topeka and in other parts of the country. As one of her final tasks, Washington was asked to recruit a small group of candidates for the park's first Superintendent.⁴³³ In June 1994, the Regional Office selected from Washington's list Supervisory Park Ranger Rayford Harper, then serving at Morristown National Historical Park, New Jersey, as the first Superintendent of Brown v. Board of Education NHS.⁴³⁴ Harper entered on duty on July 10, 1994, and quickly got to work on the GMP, which was then well into the early review drafts. He also kicked off the Historic Resource Study for the park, for which Regional Historian Ron Cockrell hired and supervised Rachel Franklin Weekley, who was then serving as Historian for the Midwest Regional Office, as a Term Historian duty stationed in Omaha.

In April 1995, Harper hired Robin White, then a Park Ranger at Petroglyph National Monument, New Mexico, to serve as the park's first Supervisory Park Ranger (Chief of Interpretation); she entered on duty on April 16, 1995.⁴³⁵ White quickly expanded the staff to support the park's interpretation. In July 1995, she hired a student from the Building Mechanics course at the KAW Area Technical College, Treva Sykes, as a seasonal Maintenance Worker. As White recalled, she hired Sykes "after we began to assess the building; we needed to complete the condition assessment and had no maintenance staff."⁴³⁶ In early 1996, Harper hired LaTrelle Pierre, a Park Ranger from Morristown National Historical Park, to serve as the first Park Ranger (Education Specialist); Pierre entered on duty on March 3, 1996.⁴³⁷

The park during Superintendent Harper's tenure began making strides into using the newest technology for promoting the park and providing interpretive content: the internet. Brown v. Board of Education NHS was one of the first parks in the Midwest Region to have its own website. At the time, NPS did not have a comprehensive policy for a presence on the internet; instead, individual parks created their own websites. In 1995, Administrative Assistant Teri Perry enrolled in a course at Washburn University to learn HTML, the computer code that supports websites, and to learn how to build basic websites. Perry then created the park's first website:

⁴³² Memorandum, Chief, Human Resources Management Division, Midwest Region to Teri M. Perry, January 10, 1994; files of Brown v. Board of Education NHS, P8815.

⁴³³ Washington, oral history interview.

⁴³⁴ Memorandum, Chief, Human Resources Management Division, Midwest Region to Rayford Harper, June 7, 1994; files of Brown v. Board of Education NHS, June 7, 1994.

⁴³⁵ Memorandum, Superintendent, Brown v. Board of Education to Superintendent, Petroglyph National Monument, March 15, 1995; files of Brown v. Board of Education, P8815.

⁴³⁶ White, oral history interview.

⁴³⁷ Rayford Harper to Clark Dixon, January 29, 1996; files of Brown v. Board of Education NHS, P8815.

there was probably, maybe, ten or twelve pages to our website. And just sharing some of the historic photographs and the basics of the story, and then links to other resources like the Brown Foundation and resources at Washburn University related to Brown v. Board, and things like links to other civil rights sites within the National Park Service.⁴³⁸

The website soon became a component of the park's interpretation program, as early technology adopters quickly found the site.

During FY 1994, the park's base Operations of the National Park Service (ONPS) budget was \$311,300, which included \$107,000 for the cooperative agreement with the Brown Foundation. Other components of the budget included \$15,000 to be transferred to Harry S Truman National Historic Site, Missouri, for administrative support, and funding for Franklin Weekley and the HRS.⁴³⁹ For FY 1995, Superintendent Harper's first full fiscal year at the park, the base ONPS budget was increased to \$323,560. This did not include the \$107,000 for the cooperative agreement, which was made a separate line item. Additional line items included cyclic maintenance funds for the replacement of the flat roof at Monroe School and for interim utilities, the Historic Structures Report, the Brown Symposium, and the HSR; in total, the park received \$526,060 for FY 1995. By that time, the park had three full-time permanent employees (Superintendent Harper, Chief of Interpretation White, and Teri Perry, whose position was upgraded to Administrative Officer). Franklin Weekley remained on staff as a term Historian, and Secretary Alicia Bullocks, who entered on duty on May 30, 1995, and Maintenance Worker Treva Sykes were seasonal employees.⁴⁴⁰

Superintendent Harper remained at Brown v. Board of Education NHS until June 1996, when he transferred to New Orleans Jazz National Historical Park, Louisiana. During his two years at the park, he continued to develop the initial planning documents: he helped to coordinate the final GMP, the HRS, and the HSR. As the first permanent Superintendent, Harper also developed the park's staff by hiring two key interpretation specialists—Chief of Interpretation Robin White and Park Ranger LaTrelle Pierre—and Maintenance Worker Treva Sykes, who remains as the park's Facilities Manager. Harper continued to expand the park's outreach, establishing numerous relationships throughout the City of Topeka, and solidified the working relationship between the park and the Brown Foundation. During his final year at the park, FY 1996, Harper managed a total budget of nearly \$445,000, including ONPS base funding of \$307,200 and \$102,000 for the Brown Foundation through the cooperative agreement. Other funds were earmarked for repairs of the Monroe School roof and for the Brown Symposium, together with the National Park Foundation Parks as Classroom grant.⁴⁴¹

⁴³⁸ Perry Gage, oral history interview.

⁴³⁹ Memorandum, Superintendent, Brown v. Board of Education NHS to Regional Director, Midwest Region; August 22, 1994; files of Brown v. Board of Education NHS, F34.

⁴⁴⁰ Superintendent's Annual Narrative for FY 1995; files of Brown v. Board of Education NHS, A2621. See also Budget summary report for Brown v. Board of Education NHS, July 19, 1995; files of Brown v. Board of Education NHS.

⁴⁴¹ Superintendent's Annual Narrative for FY 1996; NPS Electronic Technical Information Center.

Planning for the Park's Opening: Superintendent Bess Sherman

Two Acting Superintendents followed Harper: Chief of Interpretation Mark Engler from Jefferson National Expansion Memorial, Missouri, and Marianne Mills, an interpretation specialist at Badlands National Park, South Dakota, while the Regional Office searched for Harper's successor. In September 1996, Bess Sherman entered on duty as the park's second Superintendent. Sherman arrived from Hampton NHS, Maryland, where she had served since early 1994 as that park's first African American Superintendent. Among Sherman's immediate tasks was to develop a strategic plan and set of objectives in line with the new reporting requirements under the GPRA. In September 1997, Sherman completed a draft Strategic Plan that included three principal goal categories: the preservation and protection of Monroe School and its grounds in accordance with the HSR and the Landscape Management Plan, interpretation and visitor experience of the site, and organizational effectiveness. Sherman anticipated a full staff of fourteen FTE, consisting of a Superintendent, three Administrative staff members, and a Chief of Operations to whom would report a Historian, Interpretive Specialist, two Park Rangers, a Resource Management Specialist, two full-time Maintenance staff, and two seasonal positions. Her proposal, which called for twice the number of FTEs the park currently had, would require an annual budget of \$800,000, nearly seventy percent of which was for personnel; at the time, personnel accounted for fifty-four percent of the park's budget. Sherman involved all park staff members in producing the report and consulted with and provided drafts of the Strategic Plan to nearly a dozen community organizations including the Brown Foundation, the MNIA, Downtown Topeka, Inc. and the Kansas State Historical Society.⁴⁴²

Sherman applied her understanding of the new performance and reporting requirements of GPRA to her negotiations with the Brown Foundation regarding the cooperative agreement. As discussed at length in Chapter 4, the collegial relationship between park staff and the Brown Foundation under Superintendent Harper became more tense under Superintendent Sherman, who sought to provide greater NPS oversight to the cooperative agreement and expected a more professional and transparent basis for the relationship. As former Administrative Officer Teri [Perry] Gage recalled,

Bess Sherman was much more professional than [Superintendent] Ray Harper was. And she was much more direct, more impersonal, but I really got the impression that it was just a stepping stone. She knew when she came here that it was not going to be . . . a long-term position for her and that she'd be moving on to someplace else."⁴⁴³

The degree of discord between Sherman and Brown Henderson during the negotiations leading up to the second cooperative agreement was clear in the correspondence, with mutual accusations of misunderstandings but little direct communication. As Gage recalled of Superintendent Sherman, "I don't think she was real connected to the park or the resource or the community. I think that the administrative officer was viewed more as a primary point of contact for a lot of people."⁴⁴⁴ Despite the contention between Sherman and the Brown Foundation,

⁴⁴² "Strategic Plan: Government Performance and Results Act, Brown v. Board of Education National Historic Site," draft plan, September 1997; files of Brown v. Board of Education NHS.

⁴⁴³ Perry Gage, oral history interview, May 7, 2020.

⁴⁴⁴ Ibid.

however, the two sides agreed to the terms of the second five-year cooperative agreement in late February 1999, and the agreement was executed on March 1.

The park remained in these offices through 1998, when the Regional Office approved the addition of another office space to allow additional interpretive media to be installed in the temporary park headquarters. In January 1998, while Bess Sherman was Superintendent, Administrative Officer Alicia Bullocks submitted a proposal, pointing out that, with the delay in funding for the Monroe School rehabilitation, “employee and visitor morale have dropped significantly. Therefore I am proposing to add a temporary visitors’ center.” In making this proposal, which would entail acquiring additional space in the U.S. Post Office, she suggested that an office directly across from the existing park headquarters offices would accommodate approximately fifty people. “I am sure you will agree,” she continued, “that the *Brown v. Board* story transcends the Monroe School. Since we are not interpreting the Monroe School structure, we can offer a quality interpretive program about the case that spurred the Civil Rights Movement to our park visitors.” Such a step, she argued, would allow the park to fulfill its GPRA requirements to increase visitor appreciation and understanding of the park by eighty percent by 2002: “If we fully intend to do this we must have more opportunities for on-site interpretation.” She urged that the space be open in time for the annual Brown Symposium on May 17, 1998, which coincided with a panel discussion on the President’s Initiative on Race Relations which was to bring the Director of the National Park Service to Topeka.⁴⁴⁵ Bullocks’ argument was persuasive, and, in March, Bullocks, then serving as the Acting Superintendent, provided official authorization to move forward.⁴⁴⁶ The new visitor center space was not ready in time for the Brown Symposium in May, but was formally opened in August 1998, with a ribbon-cutting ceremony presided over by the Topeka Chamber of Commerce.⁴⁴⁷ Chief of Interpretation Tyrone Brandyburg oversaw the installation of the interpretive exhibits for the new Visitor Center.

An important component of Superintendent Sherman’s tenure at *Brown v. Board of Education* NHS, from October 1996 to the spring of 1999, was to initiate the planning process for the Monroe School rehabilitation project. As discussed in Chapter 5, Sherman worked with the Regional Office to identify the funding for the project and to identify the specific needs and uses of the building. As her successor, Stephen Adams, recalled, “by the time I got there, we were at the stage where. . .we had pretty good estimates on what it would cost to do the physical rehabilitation and what it would cost to put the interpretive exhibits together.”⁴⁴⁸ During her tenure, Superintendent Sherman also hired several key employees who helped to advance the planning process. Chief of Interpretation Robin White accepted a transfer in the summer of 1997 to New Orleans Jazz National Historical Park to serve as Chief of Interpretation under her former supervisor, Superintendent Ray Harper. In October, Sherman hired Tyrone Brandyburg, then the Chief of Interpretation at Booker T. Washington National Monument, Virginia, for the position.⁴⁴⁹ Also in 1997, Sherman hired Qefiri Colbert as a Park Ranger to assist with programs

⁴⁴⁵ Alicia Bullocks to Bess Sherman, January 26, 1998; files of *Brown v. Board of Education* NHS, A8027.

⁴⁴⁶ Memorandum, Acting Superintendent, *Brown v. Board of Education* NHS to Associate Director, Administration, WASO, March 5, 1998; files of *Brown v. Board of Education* NHS, A8027.

⁴⁴⁷ Press Release, August 11, 1998; files of *Brown v. Board of Education* NHS, K3415.

⁴⁴⁸ Adams, oral history interview.

⁴⁴⁹ Brandyburg, oral history interview.

and research. During Sherman's time at the park, Administrative Assistant Alicia Bullocks successfully completed the Student Career Experience Program (SCEP) and was promoted to the position of Administrative Officer (Figure 36). In May 1998, Sherman hired Katherine Cushinberry, a Topeka native, as the new Administrative Assistant; Cushinberry was later promoted to Administrative Clerk before being promoted again to Administrative Officer in 2001.⁴⁵⁰ Sherman hired Park Ranger Tarona Armstrong, then at Independence National Historical Park, Pennsylvania, as Park Ranger, replacing LaTrelle Pierre, who left NPS to return to graduate school. Armstrong entered on duty on July 19, 1998 (Figure 37).⁴⁵¹



Figure 36. Qefiri Colbert (L) and Alicia Bullocks (R), 1998. Photograph provided by Brown v. Board of Education NHP.



Figure 37. Tarona Armstrong, 1998. Photograph provided by Brown v. Board of Education NHP.

Technology came to play an increasing role during Superintendent Sherman's tenure in the late 1990s. Park staff have made continual improvements to the website since 1995, seeing it as a platform to disseminate historical information about the *Brown* decision, promote the park, and provide information about visiting. As Superintendent Sherman summarized in her annual report for FY 1997, "The Internet has also played a great part in our interpretation of the *Brown* decisions. We received numerous requests from surfers of the Internet in general as well as specific information on the landmark case."⁴⁵² The use of information technology also became an important component of the park's interpretive programming as planning began for the exhibits and audiovisual materials in Monroe School from 1998 and into the early 2000s. An information technology specialist from the Midwest Regional Office, for example, provided the following information to Park Ranger Qefiri Colbert in the summer of 1998 regarding computer touchscreen kiosks and the computers necessary to support them: "I suspect, given your intended application, you'd want to purchase a high-end Pentium II processor (300Mhz) with considerable memory (128mb), and large-ish disk (6gb)."⁴⁵³

⁴⁵⁰ Superintendent's Annual Narrative for FY 1997, NPS Electronic Technical Information Center; see also Katherine Cushinberry, oral history interview, May 6, 2020.

⁴⁵¹ Memorandum, Superintendent, Brown v. Board of Education NHS to Deputy Superintendent, Independence National Historical Park, July 13, 1998; files of Brown v. Board of Education NHS, P8815.

⁴⁵² Superintendent's Annual Narrative for FY 1997; NPS Electronic Technical Information Center.

⁴⁵³ Email from MWR GIS-Madison to Qefiri Colbert, July 9, 1998; files of Brown v. Board of Education NHS.

During her final full fiscal year, Superintendent Sherman managed a budget that included \$485,100 in ONPS base funding, together with \$102,000 for the Brown Foundation through the cooperative agreement. The park received additional funds through the ONPS fee program, construction planning, and for serving as the State Coordinator, for a total funding level of \$624,339.⁴⁵⁴

Monroe School Rehabilitation: Superintendent Stephen Adams

Superintendent Sherman accepted a transfer to the Central Alabama Group in the spring of 1999, serving as Deputy Superintendent. By June 1999, Superintendent John Neal of George Washington Carver National Monument, Missouri, was serving as the Interim Superintendent.⁴⁵⁵ Negotiations between the Brown Foundation and NPS regarding the cooperative agreement had been completed, but relations between the two had reached a low point, and the Brown Foundation filed a FOIA request for information about the process. As discussed in Chapter 4, Neal had sufficient time at the park to come to understand the relationship with the Brown Foundation and, in the fall of 1999, provided counsel to incoming Superintendent Adams, who entered on duty on December 5, 1999 (Figure 38). Adams had a long career with NPS by that time and was serving as Superintendent of Pea Ridge National Military Park, Arkansas, at the time of his appointment to Brown v. Board of Education NHS. His principal goal was to lead the park to its Grand Opening in 2004, including managing both the physical restoration and rehabilitation of Monroe Elementary School and the development and installation of interpretive exhibits. His first task, however, was to restore the close working relationship between NPS and the Brown Foundation, which he did through a long process of meetings, listening to the concerns of the Foundation members and setting a new tone for the park.⁴⁵⁶

Another of Adams' first tasks was to complete the Annual Performance Plan, which Acting Superintendent Neal initiated in the fall of 1999 and which was mainly prepared by Administrative Officer Alicia Bullocks. The plan was a requirement under GPRA as well as a useful summary of the status of the park on the eve of its transformation leading to the opening in 2004. Although Superintendent Adams completed and approved the document in February 2000, it retains many of Neal's comments from 1999. The park was not yet open, and thus could not take part in the NPS visitor survey, but was, nonetheless, active in providing interpretive services at the temporary visitor center and at offsite locations and was developing a useful research library. At the same time, as discussed in Chapter 6, the park was continuing to develop a CD-ROM-based educational curriculum and a children's video while continuing to coordinate with the Brown Foundation through the cooperative agreement for teacher workshops and interpretive programs. For FY 2000, the park had a base ONPS budget of \$524,000 with an allocation of eight permanent staff positions, one term position, and two seasonal positions.⁴⁵⁷

⁴⁵⁴ Superintendent's Annual Narrative for FY 1998, February 19, 1999; NPS Electronic Technical Information Center.

⁴⁵⁵ See Briefing Statement by Chief of Interpretation Tyrone Brandyburg regarding a meeting between Brown v. Board of Education NHS staff and staff from the City of Topeka Planning Department, September 27, 1999. The meeting took place on June 10, 1999, and included Acting Superintendent John Neal. Files of Brown v. Board of Education NHS.

⁴⁵⁶ Adams, oral history interview.

⁴⁵⁷ "Annual Performance Plan for Brown v Board of Education National Historic Site, Fiscal Year 2000," approved by Superintendent Stephen Adams, February 22, 2000; files of Brown v. Board of Education NHS.



Figure 38. Stephen Adams, 2020. Photograph courtesy of Mr. Adams.

As Neal and Bullocks indicated in the draft plan, however, these numbers obscured an extensive turnover in staff. In his Annual Report for FY 2000, Adams observed that the park had experienced a seventy-five percent turnover of staff.⁴⁵⁸ This included a complete turnover in the park's Interpretation division: in the fall of 1999, Chief of Interpretation Brandyburg accepted a transfer to Great Smoky Mountains National Park, Tennessee, as District Interpretive Ranger; Park Ranger Taronia Armstrong transferred to Little Rock Central High School NHS, Arkansas; and, in May 2000, Park Ranger Qefiri Colbert left NPS to pursue a career in information technology. Adams, who was also new to Brown v. Board NHS in FY 2000, rebuilt the park's Interpretation division first, hiring Debra A. Riley as Chief of Interpretation. Riley, who entered on duty on June 18, 2000, made a lateral move from Jewell Cave National Monument, South Dakota. In August, Adams hired two Park Rangers: Teresa Valencia, who had served as Museum Specialist at Guadalupe Mountains NP, Texas, and Randal Standingwater, who had served as Park Ranger Trainee at Washita Battlefield NHS, Oklahoma. In addition, Administrative Officer Alicia Bullock accepted a position with another federal agency and was replaced by Administrative Technician Katherine Cushinberry. As Adams observed in his Annual Report, "the major turnover in staff. . .impacted all park functions and slowed progress in the development of the park. It exacerbated public perception that establishment of the operational phase has been abnormally delayed." He was, however, proud of his new staff, who regrouped quickly to regain momentum in the interpretive programs and in the Monroe School rehabilitation.⁴⁵⁹

In his first year at the park, Adams oversaw the completion of three planning documents started by his predecessors: the Cultural Landscape Inventory Report, the Cultural Landscape Guidelines, and the Historic Resource Study. In addition, he led the preparation of a new

⁴⁵⁸ Fiscal Year 2000 Annual Narrative Report of the Superintendent, January 17, 2001; NPS Electronic Technical Information Center.

⁴⁵⁹ Ibid.

Strategic Plan, to cover Fiscal Years 2001 to 2005. While maintaining the three principal goals from the 1997 Strategic Plan—preserving Monroe Elementary School, providing interpretive services to the public, and ensuring organizational effectiveness—the Strategic Plan for 2001-2004 was clearly focused on preparing for the park’s opening in 2004. As part of the Strategic Plan, Adams requested an increase in base funding for the park, from \$524,000 to \$881,000. Such a budget, he argued, would allow the park to operate a fully functional visitor center that had interpretive and educational programs with computerized exhibits. The permanent visitor center, once completed, would be open seven days a week, accommodate approximately 150,000 visitors per year, and require an increase from the eight permanent positions in 2000 to twenty.

Completion of these documents helped to clear the way for faster progress on the Monroe School rehabilitation project when the park secured approval from the NPS Development Advisory Board in May 2000 for the conceptual plan for the exterior restoration (Phase I). At the same time, Adams coordinated with DSC and Quinn-Evans Architects for preliminary designs for Phase II, the interior rehabilitation, and with HFC and the Brown Foundation on preliminary plans for Phase III, the interpretive exhibits. While coordinating with DSC and HFC on the management of this series of projects, Adams was also concerned with promoting the park and its mission to interpret the *Brown* decision and its larger story: the quest for equal rights for all citizens. Adams’ efforts took two principal forms. First, he traveled extensively to other civil rights-related parks and institutions, participating in panel discussions and giving talks. As he recalled, part of his objective was “to go out nationally and get the story straight, and tell people what we were doing, and get some buy-in, get some good ideas so that we would have a good project in the end.” He was accompanied on several of these trips by Cheryl Brown Henderson, from whom, he said, he learned a great deal about the park and about the history of the *Brown* decision.⁴⁶⁰

The second component of Adams’ efforts to raise the profile of *Brown v. Board of Education* NHS was through participation in the national and international association of sites of conscience. The International Coalition of Historic Site Museums of Conscience (now the International Coalition of Sites of Conscience [ICSC]) was founded in 1999 by Northeast Regional Director Marie Rust in collaboration with eight historic sites around the world. The organization, founded and based at the Lower East Side Tenement NHS, New York, was created by Ruth Abrams and then established by Congress in 1998; Abrams served as the first president of the ICSC. The NPS Northeast Regional Office originally served as the organization’s coordinator. The purpose of the ICSC is to support museums and other organizations that seek to preserve the memories of struggles for human rights, justice, and peace around the world and to facilitate grants and networking opportunities among the participating organizations. For the National Park Service, it was an important component of the effort to expand its interpretation to be more inclusive, telling stories that had been hidden in the past and to spur civic dialogue. Adams submitted an application to join the ICSC in June 2001, observing that

The *Brown* case impacted human rights internationally, and that is a major interpretive theme for the site. We hope that coalition membership would help us develop that story and disseminate the information internationally, leading to a

⁴⁶⁰ Adams, oral history interview. Adams also recalled that during at least one of these trips, to Birmingham, Alabama, he was able to provide her with a greater understanding of NPS bureaucratic processes and its frustrations.

better and more widespread understanding of the case and its impact on historical and contemporary issues.”⁴⁶¹

Because the park was not yet operational, the ICSC could not offer full membership but did suggest that *Brown v. Board of Education NHS* be a Provisional Member with the hope that it would be made a full member by the spring of 2003, when the ICSC would next meet.⁴⁶²

The timing of this effort in 2001 to spur civic dialogue around challenging issues took a tragic turn on September 11, when terrorists used commercial airplanes to attack New York City and Washington, DC, and another airplane was crashed near Shanksville, Pennsylvania, when its passengers stopped the terrorists on board from completing their planned attack. Even before these attacks, the Northeast Regional Office had begun planning a workshop to be held in New York City in late 2001 to develop a plan to stimulate civic dialogue using NPS sites as a focus. The workshop was stimulated by its participation in the ICSC but was given added urgency in the wake of the September 11 attacks. Superintendent Adams was invited to participate in the workshop, held on December 6-8 in New York City, and to talk particularly about the park’s work on curriculum-based programming.⁴⁶³

As part of the preparation for the opening of Monroe Elementary School, Adams also began planning for an educational bookstore in 2000. He solicited proposals from both Southwest Parks and Monuments Association (SWPMA; the name was changed to Western National Parks Association [WNPA] in 2002) and Eastern National Park and Monument Association, asking them to outline the services that they could provide to park visitors. As Adams recalled, he had worked with SWPMA in the past and knew of their strong support for education. Southwest Parks and Monuments responded favorably, and their executive director visited the site in August. In the fall of 2000, Superintendent Adams recommended that the park work with SWNPA for its educational bookstore; Regional Director William Schenk approved the recommendation in late 2000, and the board of directors of SWPMA gave its approval in November.⁴⁶⁴ In 2001, staff from SWPMA took part in planning for the Monroe School rehabilitation, in particular, the bookstore space, while also making plans for the titles to include in the bookstore once it was open.⁴⁶⁵

The bookstore, which was originally located on the west side of the school’s main hallway on the first floor, is operated jointly with the park’s management, and typically provides grants from the proceeds of its sales to the park for educational and interpretive purposes. For November 2001, for example, SWNPA approved over \$14,000 in aid, taking into account funds

⁴⁶¹ Undated application to join the ICSC, presumably completed before the application deadline of June 8, 2001; files of *Brown v. Board of Education NHS*.

⁴⁶² Liz Sevchenko to Stephen Adams, November 2, 2001; files of *Brown v. Board of Education NHS*.

⁴⁶³ Email, Marie Rust to multiple NPS staff including Stephen Adams, October 9, 2001, with workshop schedule attached; files of *Brown v. Board of Education NHS*. See also Adams; brief report of the workshop in email to Bill Schenk, December 12, 2001; files of *Brown v. Board of Education NHS*.

⁴⁶⁴ Fiscal Year 2000 Annual Narrative Report of the Superintendent, January 17, 2001, NPS Electronic Technical Information System; T.J. Priehs to William W. Schenk, November 14, 2000, files of *Brown v. Board of Education NHS*, A42. See also Stephen Adams, oral history interview.

⁴⁶⁵ Fiscal Year 2001 Annual Narrative Report of the Superintendent, January 23, 2002; NPS Electronic Technical Information System.

from late 2000 through FY 2002. The aid was focused primarily on support for publications. Grants in subsequent years were more modest, with SWPMA/WNPA typically authorizing approximately \$2,000 per year for the next several years.⁴⁶⁶ As discussed in Chapter 7, the bookstore was relocated in 2010 to its present location on the right side of the entry hall where Park Rangers greet visitors. The original bookstore space on the first floor was converted to program use and also serves as an election polling place.

After the extraordinary staff turnover in late 1999 and early 2000, the park's staff remained relatively stable during the several years of planning for the Grand Opening. Two new employees were hired in 2001: Public Affairs Officer LaTonya Miller and Administrative Assistant (Office Automation) Lydia Baez. Other staff remained in place through early 2004, including Superintendent Steve Adams, Administrative Officer Katherine Cushinberry, Chief of Interpretation Debra Riley, Park Rangers Teresa Valencia and Randal Standingwater, and Maintenance Worker Treva Sykes. This continuity, together with the strong partnership with the Brown Foundation, played an important part in the successful completion of the Monroe School rehabilitation and the development and installation of the interpretive exhibits. As that phase of the park's history came to a close, however, more changes were afoot. In preparation for the Grand Opening in 2004, and in recognition of the vital role that computers, videos, and interactive displays would play in the visitors' experiences, the park received approval for an Information Technology staff member, to report directly to the Superintendent. In 2004, Superintendent Adams hired Cheryl DeShazer for this position. DeShazer remained through 2011. Chief of Interpretation Riley left her position in early 2004, and was replaced in March 2004 by William Beteta, formerly the Management Assistant at Ozark National Scenic Riverways, Missouri.⁴⁶⁷ Then, in June 2004, shortly after seeing to the completion of the Monroe School rehabilitation and the park's Grand Opening in May, Superintendent Adams accepted a transfer to Lewis and Clark National Historic Trail, headquartered in Omaha, Nebraska, as that park's Superintendent.⁴⁶⁸

Putting the Park in Operation: Superintendent Dennis Vasquez

Adams was replaced by Superintendent Dennis Vasquez, who transferred to the park from the Harpers Ferry Center where he was overseeing a special initiative known as the Office of NPS Identity, standardizing branding materials throughout the National Park System including the use of the NPS arrowhead (Figure 39).⁴⁶⁹ During Superintendent Adams' tenure, the park's base ONPS budget remained stable, growing from \$524,000 in FY 2000 to \$542,000 in FY 2002.⁴⁷⁰ With the opening of the park in May 2004, however, the park's budget increased dramatically. In FY 2004, in anticipation of the park's opening, the ONPS base funding was \$1,084,609.⁴⁷¹ For FY 2005, Superintendent Vasquez' first year at the park, the ONPS base

⁴⁶⁶ Files of Brown v. Board of Education NHS contains memoranda from WNPA to the park outlining the grant amounts, which are calculated as a percentage of net sales at the park or \$2,000, whichever is greater. In most years, therefore, the park receives only the minimum amount. Most of the memoranda are in file A42.

⁴⁶⁷ Brown Foundation Board of Directors Meeting, March 6, 2004; attached to Memorandum, Cheryl Brown Henderson to Steve Adams, March 16, 2004; files of Brown v. Board of Education NHS.

⁴⁶⁸ Adams, oral history interview.

⁴⁶⁹ Vasquez, oral history interview.

⁴⁷⁰ Budgets for FY 2003 and FY 2004 were not located during the present research.

⁴⁷¹ "Brown v. Board of Education National Historic Site: Critical Operations Analysis Workshop Report, August 24, 2010," files of Brown v. Board of Education NHS.



Figure 39. Dennis Vasquez, 2020. Photography courtesy of Mr. Vasquez.

funding was increased to \$1,209,299, and the Brown Foundation was allocated \$246,527 through the cooperative agreement. Other sources of funding included remaining Line-Item Construction money to finish work on Monroe Elementary School totaling nearly \$125,000, serving as the State Coordinator, and a National Park Foundation Grant, bringing the park's total budget to \$1,587,333. Recalling his years of service at Brown v. Board of Education NHS, Vasquez echoed a sentiment expressed by nearly all who served there: "honestly, the park was well-funded. . .the park had been well-funded in its development, and. . .the base budget for the operations when I was there was adequate. . .maybe even a little bit more so."⁴⁷²

The park's base ONPS budget then remained stable through Superintendent Vasquez's tenure. Base funding for FY 2007, for example, was \$1,260,526, rising slightly to \$1,262,355 in FY 2008, and \$1,309,380 for FY 2009.⁴⁷³ As discussed in Chapter 4, the allocation to the Brown Foundation continued to grow from 2004 to 2009, rising to approximately \$300,000 per year throughout the period. This was again a fruitful era of collaboration between the park and the Brown Foundation, with a steady stream of public events throughout each of the years from 2005 to 2009. During this period also, the staff remained relatively stable. Superintendent Vasquez used the increase in base funds in FY 2005 to expand the park's interpretive staff despite the transfer of Public Affairs Specialist LaTonya Miller. In October 2005 alone, four new employees entered on duty: Park Guides Amy Genke and James Schenk, Education Specialist Linda Rosenblum, and her husband, Historian Thom Rosenblum. Once Vasquez had completed his new organization, it had an allotment of approximately fourteen FTE, with five positions reporting directly to the Superintendent: Facility Operations Specialist, Chief of Interpretation and Visitor Services, Training/Education Specialist, Information Technology Specialist, and Chief of Administration. The organization chart was modified again in 2009, which resulted in

⁴⁷² Vasquez, oral history interview.

⁴⁷³ Annual Superintendent's Reports for FY 2007 and 2008; FY 2009 comes from the 2010 Critical Operations Workshop Report, 2010, which provides slightly differently figures for the FY 2005-2008 budgets.

the Education Specialist reporting to the Chief of Interpretation and Outreach Education. Education Specialist Linda Rosenblum transferred to the Bureau of Land Management in Washington, DC, in November 2007, while Thom Rosenblum continued to work for the park from an office in the Washington Office. Linda Rosenblum then was re-hired as Education Specialist in April 2008, and both returned to Topeka. In April 2008 also, Chief of Interpretation William Beteta resigned to take a job with a private non-profit organization in Topeka.⁴⁷⁴

In late March and early April 2008, a team comprised of senior staff from the Regional Office and other parks in the Midwest Region traveled to Topeka to conduct the first Operations Evaluation of Brown v. Board of Education NHS. Associate Regional Director Jim Loach served as the Team Leader, with team members who specialized in administration, interpretation and education, cultural resources, maintenance, security, and management. Over the course of five days, the team toured the facility, met with the staff as a whole and individually and with Cheryl Brown Henderson, studied the park's programs and management, and reviewed the park's files. Before concluding the week's work and departing, the team presented the park with a draft report which summarized its findings, identifying those areas where the park was performing well and those where improvement was needed with recommendations.

The park, which been open for less than four years by that time, received praise for its extensive range of public programs, its modern exhibits, and the high level of care and maintenance given to the building. The park had an up-to-date five-year strategic plan and several successful partnerships, with the Brown Foundation as well as local schools and other organizations, and a strong education program with an active calendar of school tours that constituted nearly one-third of the park's visitation. The park fell short, however, in its interpretive programming and provisions for personal services. In recent oral history interviews, Superintendent Dennis Vasquez and Superintendent David Smith observed that the park's visitation was far below what it should be, given the relevance and importance of its message and the quality of its exhibits, and this concern was manifested throughout the 2008 Operations Evaluation report.

The park's interpretive staff, the team reported, were primarily passive, focused on the building's entrance and providing orientation to the site and informal interpretation. In place of this passive approach, the park should develop "a more ambitious personal services program" that included increased off-site programming, informal interpretation within the galleries, and the ability to provide spontaneous formal presentations to larger unannounced groups of visitors. The draft Operations Evaluation continued by observing that the park appeared to rely primarily on its special events and visiting speakers, which often were developed in collaboration with the Brown Foundation but otherwise were often poorly planned, for its visitation. The report pointed out also that the park did not have a regular process for gathering and evaluating visitor feedback to determine the effectiveness of its programs or other needs and interests that visitors might have.

Finally, the team examined the park's exhibits, which had just been completed in 2004. A significant gap was a lack of any information that interpreted Monroe School and its association with the *Brown* decision. In addition, one of the key interpretive exhibits which had a significant

⁴⁷⁴ Superintendent's Annual Narrative Report, Fiscal Year 2008.

interactive component had been removed because of technical malfunctions and replaced with a fact-based exhibit that had no substantial interpretive content. This was a significant gap, the team reported, and either the original exhibit should be restored, or its replacement should be redeveloped with interactive components. This effort would be bolstered, the team concluded, with the use of technology to allow electronic field trips to the sites associated with all five court cases that constituted the *Brown v. Board of Education* case while developing joint distance learning programs with Washburn University School of Law and Little Rock Central High School NHS, Arkansas, and adding additional interactive components to the park's website.

The Operations Evaluation team outlined shortcomings in the leadership of the park's Interpretation division, observing that there were few opportunities for younger and less experienced staff to learn and develop. The park, the team said, needed to develop training and coaching opportunities for staff so that it could realize its potential as "an NPS site of choice for beginning interpreters wishing to develop their skills and experience." This concern over leadership extended to the park's bookstore, which is managed by the Western National Park Association, as the Chief of Interpretation had sole authority to approve the content of sale items. The team recommended decentralizing the approval process, allowing other staff to recommend books and other materials for sale, while also giving park rangers the opportunity to assess the interpretive effectiveness of some of the items, which would have the added benefit of serving as an employee development opportunity.

The Operations Evaluation team made several other recommendations, some relating to procedural and managerial issues and others pertaining to security, management of volunteers, and safety. As will be discussed next, however, the following several years were tumultuous ones for the park with high staff turnover and a rupture with the Brown Foundation. As a result of this confusion, the Operations Evaluation was never put in final form.

Assessing Critical Park Operations: Superintendent Cheryl Brown Henderson

The relative stability of the park's staffing and administration came to end in 2009, with instability reigning until 2011. The Chief of Interpretation position remained vacant from April 2008 until April 2009, when Superintendent Vasquez hired David Schafer for the position on a lateral transfer from Washita Battlefield NHS, Oklahoma (Figure 40). Within two months of entering on duty at Brown v. Board of Education NHS, Schafer was named Acting Superintendent when Dennis Vasquez transferred to the NPS Washington Office to lead the Commission on the National Museum of the American Latino. Schafer served as both Acting Superintendent and Chief of Interpretation for nearly a full year, until June 2010. During this time, Schafer hired additional interpretation staff, including Park Rangers Justin Sochacki and Aaron Firth. As discussed more fully in Chapter 4, the Midwest Regional Office conducted an irregular search for a new Superintendent that resulted in the hiring of Brown Foundation Founding President Cheryl Brown Henderson, who entered on duty on June 12, 2010. Although the park continued to develop public programs and events, Brown Henderson's tenure was fraught with controversy; on the basis of an anonymous call, the Department of the Interior's Office of Inspector General opened an investigation into allegations of conflict of interest on the part of Brown Henderson. During the course of this initial investigation, which impeded her ability to manage the site, Brown Henderson resigned her position at the park on December 31,

2010, having been on the NPS payroll for six months, and returned to her role as president of the Brown Foundation.



Figure 40. David Schafer, 2020. Photograph courtesy of Mr. Schafer.

During her tenure as Superintendent, Brown Henderson oversaw the development of a Critical Operations Report. Staff from the park and the Midwest Regional Office took part in a workshop in Topeka in August 2010 that included in-depth discussions about the park's operations, management structure, budgets, and staffing. The workshop was designed to develop a five-year budget projection and identify any needs or gaps in staffing or operations that should be filled to meet that projection while also identifying any services that could be cut to stay within the budget projections. The traditionally generous nature of the park's budgets was indicated by an analysis of labor costs related to the total budget. The National Park Service had set a goal for all units that personnel services and fixed costs should be no more than eighty-five percent of the unit's total budget, thus ensuring that the unit had at least fifteen percent in operational funds to meet emergencies and unexpected expenses. In its five-year projections, based on historical funding levels, Brown v. Board of Education NHS personnel and fixed costs never exceeded eighty percent of the total budget, a rarity among units of the National Park System. In terms of goals for the park, the workshop participants focused primarily on interpretation, suggesting that the park implement recommendations from the 2009 accessibility report and from an interpretive operations evaluation workshop in January 2010.⁴⁷⁵

Rebuilding the Park: Superintendent David Smith

According to the Critical Operations Analysis workshop report, the park was to have a draft Critical Operations Report ready for review by December 2010. With the chaos at the park caused by the OIG investigations, however, this report fell by the wayside and was not taken up. After Brown Henderson left on December 31, 2010, the park was served by several Acting

⁴⁷⁵ "Critical Operations Analysis Workshop Report," August 24, 2010.

Superintendents. In early 2011, the Regional Office identified David Smith, who was then serving a two-year term as a Congressional Affairs Specialist with the House of Representatives, as a possible Superintendent for Brown v. Board of Education NHS (Figure 41). Acting Midwest Regional Director George Turnbull contacted Smith, knowing that Smith had a strong tie to civil rights issues. As Smith recalled the conversation, Turnbull told him

“We’ve got a partnership park where we have a relationship with a Foundation. We’re having some problems with the Foundation right now, and it’s a very adversarial relationship in the park, and we think that you have the skills that would be helpful to pull down the walls and to have a better partnership.”⁴⁷⁶



Figure 41. David Smith, 2020. Photograph provided by Mr. Smith.

Smith accepted the position and, upon arriving in Topeka in May 2011, was impressed by the park and what it had done in collaboration with the Brown Foundation in terms of interpretation. However, he soon became aware that the work environment “was truly toxic.” He was also dismayed by the low levels of visitation and set a goal of bringing more people to the park. Unfortunately, the Department of the Interior OIG report was released on his first day on the job, immediately establishing his agenda’s top priority. Chapter 4 recounts in detail his response and negotiations with the Brown Foundation as both sought to handle the public fallout from the report’s revelations.

As discussed later in this chapter, Brown v. Board of Education NHS took on responsibility for the oversight of Nicodemus NHS, Kansas, during the tenure of Superintendent Smith. As a part of this new responsibility, Chief of Interpretation David Schafer served on temporary duty as Superintendent of Nicodemus NHS, Kansas, from September to December 2012. Schafer returned to Brown v. Board of Education NHS in early January 2013 and remained as Chief of Interpretation through the summer of 2013, when he accepted a lateral

⁴⁷⁶ Smith, oral history interview.

transfer to serve as Chief of Interpretation and Resource Management at Lyndon B. Johnson National Historical Park, Texas. In the fall of 2013, Superintendent Smith hired Stephanie Kyriazis, a Park Ranger at Acadia NP, Maine, to serve as the new Chief of Interpretation for Brown v. Board of Education NHS. She took up the work started by Schafer to coordinate redevelopment of the park's exhibits, providing updates to the content and bringing them into compliance with the ADA as discussed in greater detail in Chapter 7. In 2012, Katherine Cushinberry, who had served in the park's Administrative Division since 1998 and as the Administrative Officer since 2001, accepted a lateral assignment to Cape Lookout National Seashore, North Carolina. Smith hired Katrina Fraise to serve as the new Administrative Officer; she entered on duty in November 2012.

One of Superintendent Smith's primary goals was to substantially increase visitation to the park, in part through establishing new partnerships in Topeka and the surrounding region. Chapter 6 explores several of the initiatives which he and his staff led from 2011 through 2014, including increasing contacts with the Topeka School District generally and nearby Mamie Williams Elementary School in particular, with which the park created a successful after-school program. In 2013, Smith entered into negotiations with the University of Kansas School of Public Affairs and Administration to lease a classroom and program room in Monroe Elementary School for their use as a classroom. In his negotiations, Smith ensured that the lease would be compatible with NPS programs, that it would contain provisions for the protection of the building, that it allowed operational use by the park as needed, and that the payment was at fair market value. In justifying the lease, Smith pointed out that the park had leased office space "to a variety of partners through cooperative agreements," likely a reference to the Brown Foundation, which leased office space in Monroe Elementary School until late 2011. The Midwest Regional Office approved the lease in December 2013, which was executed by NPS and the University of Kansas in early February 2014.⁴⁷⁷ At the same time, as discussed in Chapter 8, Smith initiated discussion with the Territorial Kansas Heritage Alliance leading to a cooperative agreement to create a summer youth program providing students the chance to visit historic and cultural sites within the Freedom's Frontier National Heritage Area. That cooperative agreement has been renewed several times to the present.

The park's budget remained generous throughout Superintendent Smith's tenure from 2011 to 2014, as the park had a larger budget than was necessary for its operation. As Superintendent Smith recalled, "there was a certain responsibility for sharing that wealth with parks that needed it. If there were purchases that needed to be made at, you know, Fort Scott or some other place. . . I would offer up some money from our budget to be able to get things like that."⁴⁷⁸

One of the highlights of the park's public activities during Smith's tenure was the visit of First Lady Michelle Obama in 2014. Obama had accepted an invitation to speak to the graduating seniors in the Topeka School District in May, the 60th anniversary of the *Brown*

⁴⁷⁷ Memorandum, Superintendent, Brown v. Board of Education NHS to Regional Director, Midwest Region, November 6, 2013; Lease and Occupancy Agreement between the University of Kansas and the National Park Service Brown v. Board of Education National Historic Site, executed February 1, 2014; files of Brown v. Board of Education NHS, L1425.

⁴⁷⁸ Smith, oral history interview.

decision, and made the case and its legacy the focus of her address. Referring to the case, she told the students

it's fitting that we're celebrating this historic Supreme Court case tonight, not just because *Brown* started right here in Topeka or because *Brown*'s 60th anniversary is tomorrow, but because I believe that all of you—our soon-to-be-graduates—you all are the living breathing legacy of this case.

Continuing, she observed that the *Brown* decision is not “just about our history, it’s about our future. Because while that case was handed down 60 years ago, *Brown* is still being decided every day—not just in our courts and schools, but in how we live our lives.”⁴⁷⁹

As a part of her visit, Mrs. Obama contacted NPS about visiting the park together with a group of students. Park staff coordinated with the Topeka School District to identify families that had not traditionally sent children to college. These families were invited to the park without being told the reason but were told to “dress up.” As Smith recounted the day, “So, they show up at *Brown v. Board*, and they come in, and there are metal detectors, and there’s Secret Service people, and then they see Michelle Obama, and they screamed, they were so excited. And she was going to spend fifteen minutes with them and then let them go. She spent an hour and twenty minutes with them.”⁴⁸⁰ On the same day as Michelle Obama’s visit to Topeka, the Brown Foundation, in partnership with the NAACP Legal Defense and Educational Fund, arranged a “meet and greet” with President Obama at the White House. Attempts by Michelle Obama’s office to mitigate the conflicting schedule were unsuccessful. The meet and greet included sixty-four individuals from the five cases that comprise *Brown v. Board*. The Kansas attendees included Leola Brown Montgomery, Cheryl Brown Henderson, Linda Brown Thompson, and their children (Figure 42).⁴⁸¹



Figure 42. Meeting at the White House, May 14, 2014. L to R: Linda Brown Thompson, Cheryl Brown Henderson, President Barak Obama, Leola Brown Montgomery, Christopher Henderson, Kimberly Smith. Photograph provided by Cheryl Brown Henderson.

⁴⁷⁹ “Remarks by the First Lady at Topeka School District Senior Recognition Day,” May 17, 2014; available at White House website: [Remarks by the First Lady at Topeka School District Senior Recognition Day | whitehouse.gov \(archives.gov\)](https://www.whitehouse.gov/the-press-office/2014/05/17/first-lady-at-topeka-school-district-senior-recognition-day).

⁴⁸⁰ Smith, oral history interview.

⁴⁸¹ Brown Henderson, 2022.

Stabilizing the Park for the Future: Superintendent Sherda Williams

David Smith departed the park in August 2014, after accepting an offer to serve as the Superintendent of Joshua Tree NP, California. Chief of Interpretation Stephanie Kyriazis then served as Acting Superintendent. In January 2015, Sherda Williams entered on duty as the new Superintendent, having transferred from serving as Superintendent at James A. Garfield NHS, Ohio (Figure 43). Before transferring to James A. Garfield, Williams had served as Superintendent at Nicodemus NHS, Kansas, under a mentoring relationship with Fort Larned NHS, Kansas. By the time Williams entered on duty, the second of two investigations conducted by the Department of the Interior's Office of Inspector General (OIG) into the financial aspects of the cooperative agreement between NPS and the Brown Foundation had recently been completed. As discussed in Chapter 4, the second OIG investigation was then followed by an internal NPS accounting audit which confirmed the mishandling of federal funds by the Brown Foundation but reduced the amount of funds which NPS believed the Foundation had been mishandled. The NPS report also confirmed the lack of oversight and substantial involvement by the park and the Midwest Regional Office in managing the cooperative agreement.



Figure 43. Sherda Williams, 2020. Photograph by Deborah Harvey.

Part of Williams' responsibilities, therefore, were to reestablish the park's reputation in the wake of the OIG investigation and to continue to expand the park's interpretive outreach. In these objectives, she was following the work initiated by Superintendent Smith, who, she recalled, "had done a really good job of outreach and engagement with partners. I think the folks from the Chamber of Commerce came in and met with me my first week here," which was a first for her. Her initial assessment of the staff which she inherited, "which has stood the test of time, unfortunately, was that this was a group of really high-performing, competent people, and they were not collaborating with each other." The interpretive staff, in particular, she found, "each have their own little events and partners that they work with." This echoed the assessment of the park by the Operations Evaluation team in the spring of 2008. At the same time, Williams was

being urged by the Midwest Regional Office to expand partnerships and educational outreach to children. The Brown Foundation, she explained,

had a separate line item of funding in the National Park Service budget, and so they [Midwest Regional Office] transferred that to the park, and they expected us to show that we were using that effectively to increase engagement of kids and increase our interpretive outlet.⁴⁸²

The staff at Brown v. Board of Education NHS remained stable for the first several months of Williams' tenure, but, in November 2015, Chief of Interpretation Stephanie Kyriazis departed for a lateral assignment to Marsh-Billings-Rockefeller National Historical Park, Vermont, and Saint-Gaudens National Historical Park, New Hampshire. She was joined by her husband, Park Ranger and Management Assistant Justin Sochacki. In May 2016, Williams hired Enimini Ekong to serve as the park's new Program Manager for Interpretation and Visitor Experience. Ekong had previously served as the Chief of Interpretation at Little Rock Central High School, Arkansas. In 2017, Ekong requested that he also take on responsibility for Nicodemus NHS while maintaining his role as Chief of Interpretation at Brown v. Board of Education. Nicodemus NHS had been without full-time staff since the fall of 2015, when its Superintendent, Angela Wetz, transferred. As discussed later in this chapter, Superintendent Smith had, in 2013, accepted for Brown v. Board of Education NHS the responsibility to mentor the Superintendent of Nicodemus NHS and hired Wetz for that position. Superintendent Williams, who was overseeing Nicodemus NHS while also serving as the Superintendent of Brown v. Board of Education NHS, approved his request after consultation with and approval by the Regional Office. Ekong entered on duty jointly as the Superintendent of Nicodemus in 2018, reporting to Williams for both positions.⁴⁸³

Williams continued to emphasize educational outreach programs and a strong program of changing exhibits in the hallways of Monroe Elementary School. The park, like the entire National Park System, faced grave challenges, beginning in the spring of 2020, with the COVID-19 pandemic. Monroe Elementary School was closed on March 26, 2020, under orders from Shawnee County. The building reopened temporarily for three weeks in late June and early July 2020, but it closed again when a staff member was diagnosed with the virus. The park remained closed, with staff primarily working remotely, until June 1, 2021.

The park continued to enjoy a healthy budget during Superintendent Williams' tenure, and, continuing the tradition from Superintendent Smith, regularly shared funds with other Kansas units of the National Park System. For FY 2021, the park's base ONPS budget was \$1,644, 251. The park, however, had returned funds to the Regional Office for Fiscal Years 2018 through 2020, and, for FY 2021, Superintendent Williams coordinated with the Midwest Regional Office to permanently reprogram \$66,000 of the Brown v. Board of Education budget to Nicodemus NHS. The park's staffing allocation was adjusted at the same time.⁴⁸⁴ Sherda Williams retired from the National Park Service on December 31, 2021.

⁴⁸² Williams, oral history interview.

⁴⁸³ Enimini Ekong, oral history interview for Administrative History of Nicodemus NHS, October 7, 2020.

⁴⁸⁴ Superintendent's Annual Report for Fiscal Year 2021, draft copy provided to the author, June 17, 2021.

In January 2022, the Regional Director appointed Jim Williams to serve on temporary duty as Superintendent of Brown v. Board of Education NHS. Williams was then serving as Program Manager and Museum Curator of the South Florida Collections Management Center Program (SFCMC) based at Everglades National Park, Florida. A Missouri native, Williams first gained experience at Harry S Truman NHS, Missouri while in college as an intern and seasonal interpreter. After receiving a Ph.D. in History at Vanderbilt University, Williams spent several years as the Director of the Albert Gore Research Center and Professor of History at Middle Tennessee State University, where he continued to collaborate with Harry S Truman NHS by developing projects for his students in the university's Public History program. Williams then served for several years as Executive Director of the National Churchill Museum in Fulton, Missouri, before returning to NPS to serve at the SFCMC. After the temporary duty at Brown v. Board of Education NHS ended in early April 2022, Williams was appointed Superintendent in early June.

Administrative Support for Nicodemus National Historic Site

As mentioned earlier in this chapter, the park took on a new administrative responsibility in 2013, when Superintendent Smith was asked to hire a Superintendent for Nicodemus NHS, Kansas, and serve as a mentor for that position. Located in northwestern Kansas, it was settled by formerly enslaved people from Kentucky in 1878. Though growing steadily at first, it did not realize the hoped-for rail connection in the late nineteenth century and remained a small, isolated agricultural community throughout the early twentieth century, populated primarily by descendants of the original settlers and their families. Fewer than sixty residents remained in the 1970s when NPS declared the town a National Historic Landmark. Its history and significance were further confirmed in the early 1980s when a Historic American Buildings Survey documentation project led to the publication of a book, *Promised Land on the Solomon: Black Settlement at Nicodemus, Kansas*.

Later in the 1980s, one of the descendants of the original settlers, Angela Bates, established the Nicodemus Historical Society to support the preservation of the town's few remaining buildings and led the successful effort to have the town designated a National Historic Site in 1996. Administration of the new park was initially assigned to the Superintendent of Fort Larned NHS, Kansas. The first two Superintendents of Nicodemus NHS, Dennis Carruth and Sherda Williams, reported to the Superintendent of Fort Larned. After Superintendent Williams took a lateral assignment as Superintendent of James A. Garfield NHS, Ohio, in early 2008, the Regional Office hired Mark Weaver to serve as the park's first independent Superintendent.

Weaver served as Superintendent of Nicodemus NHS until the summer of 2012, when he accepted a lateral transfer to serve as Superintendent of North County National Scenic Trail. Brown v. Board of Education NHS Chief of Interpretation David Schafer was then asked to serve as the Acting Superintendent of Nicodemus until a permanent Superintendent could be hired. In late 2012, the Midwest Regional Office decided to reestablish Nicodemus NHS as a mentored park and put it under the administrative mentoring of Brown v. Board of Education NHS when David Smith was Superintendent. As Smith recalled, Nicodemus has a strong civil rights connection, "so, from a mission standpoint, Brown was more of an appropriate connection." Although Homestead National Monument of America (now Homestead National Historical Park), Nebraska, would also have been an appropriate park, given the similarities of the

Nicodemus settlers' experiences to those of the homesteaders, the choice to put Nicodemus under the administrative mentoring of Brown v. Board NHS was, as Smith recalled, "a practical approach. I was close. I was willing. You know, Brown v. Board was not a super-difficult park to manage. I had the energy to do it. I was happy to provide some help up there. And I really cared about it."⁴⁸⁵

In late 2012, Smith hired Angela Wetz as Superintendent of Nicodemus NHS. She entered on duty in January 2013. Wetz had been serving as the Chief of Resource Management at Devils Tower National Monument, Wyoming, and had taken part in a leadership program where she met Smith. Wetz remained at the site until the fall of 2015, when she entered on duty as Superintendent of Fossil Butte National Monument, Wyoming.⁴⁸⁶ At that point, Superintendent Sherda Williams provided supervision of Nicodemus NHS while also leading Brown v. Board of Education NHS. As discussed earlier, Brown v. Board of Education Program Manager for Interpretation Enimini Ekong was given permission to take over the role of Superintendent of Nicodemus concurrently with his existing position, entering on duty in 2018. Ekong retained both positions until September 2020, when the Midwest Regional Office hired Frank Torres to serve as the permanent Superintendent of Nicodemus NHS. Following the end of James Williams' temporary duty as Acting Superintendent of Brown v. Board of Education in late April 2022, Torres was appointed Acting Superintendent in his place until Williams entered on duty as the park's new Superintendent.

The resignations of two Superintendents in the Midwest Region in late 2021—Mark Engler from Homestead National Historical Park and Sherda Williams from Brown v. Board of Education NHS—led to a series of operational changes involving multiple parks. Betty Boyko, a former Administrative Officer and Deputy Superintendent at Homestead NHP who was then serving as Superintendent of both Fort Scott NHS and Fort Larned NHS, Kansas, was appointed Superintendent of Homestead NHP in January 2022. Midwest Regional Director Bert Frost then appointed new superintendents for Fort Scott NHS and Fort Larned NHS. At the same time, and with the legislation to expand Brown v. Board of Education NHS pending in Congress, he directed Nicodemus NHS Superintendent Torres to cease reporting to Brown v. Board NHS and instead begin reporting to the new Superintendent of Fort Larned NHS.

During this period of transition, with Acting Superintendents for both Brown v. Board of Education NHS and Nicodemus NHS and as the two parks were preparing to separate their mentoring relationship, Administrative Officer Diana Merrill from Harry S Truman NHS provided administrative services for both Brown v. Board of Education NHS and Nicodemus NHS while Aisha Smith remained as Nicodemus Administrative Assistant. Merrill also began working with Torres on a staffing plan for Nicodemus NHS, assisted by a shifting of ONPS funds from Brown v. Board of Education NHS to Nicodemus NHS, boosting its ONPS budget to \$670,000. With Nicodemus NHS finding more staffing stability under Fort Larned NHS, what is now Brown v. Board of Education NHP is poised to take full advantage of its expanded scope as it tells the story of racial equity in the United States.

⁴⁸⁵ Smith, oral history interview.

⁴⁸⁶ Angela Wetz, oral history interview for Administrative History of Nicodemus NHS, September 8, 2020.

Conclusion

Brown v. Board of Education National Historic Site was established by Congress in October 1992, and was quickly recognized as a vitally important unit of the National Park System. It had widespread support in the state and federal governments, and both parties in Congress united to pass the enabling legislation quickly. Not only was this one of the first units of the National Park System to interpret the nation's history of civil rights activism, it is one of the few units that commemorates a true turning-point in American history. In reflecting on Brown v. Board of Education NHS, former Harpers Ferry Center Interpretive Planner Sam Vaughn claimed that "Brown is the perfect park. Brown is the perfect park because the story matters, and it's the right place to tell the story and to let the public experience that story."⁴⁸⁷

Vaughn clearly recognized what is most significant about Brown v. Board of Education NHS: that, rather than any natural or cultural resource, the most important aspect of the park is the story. An interpretive challenge was present from the beginning, though, in the form of a conflict between a narrow view focused on Topeka and the Brown family and a wider view of the *Brown* decision of which Topeka was only one among many parts. The Brown Foundation for Educational Equity, Excellence and Research was established in the late 1980s by Oliver Brown's wife and two of his daughters to provide a more complete view of the *Brown* decision in the face of an oversimplified version that had become standard in the public mind: the Supreme Court case was about Linda Brown, an African American school girl, who could not attend her neighborhood elementary school which was for white children only but had to walk to a school for African American children many blocks away. Using a combination of persistence, political clout, and a consistently clear message, Cheryl Brown Henderson, the Brown Foundation's founding president, urged a greater understanding of the context and broader significance of the case: her father, Oliver Brown, was one of thirteen plaintiffs in the case that began in Topeka, which itself was only one of five cases from other states and the District of Columbia that went to the Supreme Court under her father's name. Brown Henderson, through the Brown Foundation, consistently refused to let the public understanding of the *Brown v. Board of Education* Supreme Court decision of 1954 focus on her family. Instead, the Brown Foundation was insistent on conveying a more complete story that spanned the four states and the District of Columbia under an effort led and coordinated by the NAACP at national and local levels, and that symbolized the struggle by generations of African Americans to secure the rights that were guaranteed them under the Constitution of the United States.

The Brown Foundation was instrumental in the establishment of Brown v. Board of Education NHS, a process that began with raising awareness on the local, state, and federal levels that the former Monroe Elementary School, then in private hands, was in grave danger of being demolished. As discussed in Chapter 2, this local preservation effort proceeded through a series of developments within the National Park Service that led, with remarkable speed and lack of dissenting voices, to the creation of the park in 1992. The conflict in telling the story of the *Brown* decision at Brown v. Board of Education NHS emerges from this particular origin based on being only one of the many schools involved in the larger set of cases, through a process of establishment led by the family of the titular plaintiff. Because of these associations with

⁴⁸⁷ Sam Vaughn, oral history interview, April 24, 2020.

Topeka, the Brown family, and the school to which Linda Brown had to walk, it was far easier for Congress to gain public support to establish the park. Once the park was established, however, these very associations made the job of telling the more complete story of the *Brown* decision, one that included dozens of families in four states and the District of Columbia, more challenging.

Staff at Brown v. Board of Education NHS, in close coordination with the Brown Foundation through the early 2010s, have worked diligently to overcome this challenge and to educate the public not just on the broader nature of the story but on its vital role in American culture. The pursuit of equity and justice in America, though far advanced from the conditions of legislated segregation that prevailed in so many states through the 1950s, is far from complete, and the need for NPS to tell the story of the struggles that led to the *Brown* decision remains pressing. Through its sophisticated exhibit in the rehabilitated Monroe Elementary School and its numerous outreach programs both in person and through the internet, the park has done an admirable job of conveying the ongoing significance of the story and explaining its broader context. Recent superintendents have, likewise, fostered partnerships not just with local organizations but with managers of the other sites associated with the *Brown* decision. The limitations inherent in the park's enabling legislation, however, keep the public's attention focused primarily on the Topeka story and, by extension, the Brown family. At the same time, the unfortunate rupture between the NPS and the Brown Foundation, beginning in late 2010 and continuing to the present, despite recent preliminary signs of a rapprochement, forced the park to reorganize its programming in the attempt to tell the broader story of the *Brown* decision.

This conflict in the telling of the story of *Brown v. Board of Education*, between the idea created in the media shortly after the decision was announced in 1954 that focused almost exclusively on Linda Brown and the Topeka case, and the more complex nationwide story that involved scores of plaintiffs with coordination by the NAACP, was at the heart of the recent push to expand Brown v. Board of Education NHS. Drawing on the 1999 Historic Resource Study by Rachel Franklin Weekley, which argued that the schools associated with the other four cases in Delaware, South Carolina, Virginia, and the District of Columbia were nationally significant in the context of the *Brown* decision and the quest for educational equity, Senators and members of the House of Representatives from these three states and the District of Columbia joined together to sponsor the bills in the Senate and House that would enable the schools associated with these cases to tell their stories as part of a single, enlarged Brown v. Board of Education NHS. The new law, which was passed as this administrative history was being finalized, expands the boundary of the park, which now will include Summerton High School and the former Scotts Branch High School, both in Clarendon County, South Carolina, and allows the NPS to acquire those schools. It also establishes the other schools involved in the *Brown* decision as affiliated areas: the Robert Russell Moton High School in Farmville, Virginia; the Howard High School in Wilmington, Delaware; the Claymont High School in Claymont, Delaware; the Hockessin School in Hockessin, Delaware; and the John Philip Sousa High School in the District of Columbia. This legislation gives NPS the ability to provide additional technical and financial assistance to these communities, which will enable them to tell their parts of the larger story of the *Brown* decision. By creating a much larger and more diverse entity, the legislation allows the park to operate on a truly national scale and more effectively tell the vital story that it has told for more than three decades: the quest for justice for all.

Bibliography

Note on Sources

This Administrative History of Brown v. Board of Education NHS relied primarily on records found in the park's central files, located in the Headquarters Office in Topeka, Kansas. These records have not been accessioned into a formal collection, but instead remain as the park's working files. There are three separate locations for the park's files that were used for this Administrative History. One is the park's administrative offices on the second floor of Monroe Elementary School, which are organized by standard NPS nomenclature. Many of the files pertaining to interpretation, education, research, and visitation are located in the former Historian's office on the second floor of Monroe Elementary School, which was used primarily for storage during the period of research for this project. Finally, many of the files pertaining to the restoration and rehabilitation of Monroe Elementary School, including photographs, are maintained by the park's Facilities Management office in the basement of Monroe Elementary School. These latter sets of files, interpretation and facilities management, are not typically organized according to standard NPS nomenclature.

In addition to the park's files, the Denver Service Center maintains records pertaining to the studies that have been conducted at the park. These files were made available to us through the Electronic Technical Information Center (eTIC).

Another important source of records are the records of the Brown Foundation for Educational Equity, Excellence and Research. This collection consists primarily of minutes of the Brown Foundation's Board of Directors and Executive Committee and provide insights and information pertaining to the activities of the Brown Foundation. In addition, the minutes frequently make notice of programs and staff changes at the park. The records of the Brown Foundation are housed at the Kenneth Spencer Research Library at the University of Kansas, Lawrence.

Finally, retired NPS Historian Harry Butowsky graciously provided copies of his personal records pertaining to his work on the National Historic Landmark designation of Sumner Elementary School and the amendment to include Monroe Elementary School. This collection contains extensive correspondence among many different NPS staff members, the Afro-American Institute for Historic Preservation and Community Development, and political figures on the local, state, and national levels, and proved invaluable in telling the story of the origins of the park.

Oral histories proved vital to the completion of this Administrative History. The current research project included conducting interviews with twenty former and current park staff members, Brown Foundation officials, current and former City of Topeka officials and elected representatives, and other members of the Topeka community. As discussed in the Introduction, many of these interviews were conducted remotely, either by telephone or video conferencing, due to the rapid spread of the COVID-19 pandemic during the research phase of this project. These interviews provided an enormous amount of information and perspectives that would otherwise have been lost and have greatly enriched this Administrative History.

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Appendix A: Legislation

Public Law 102-525
102d Congress

An Act

Oct. 26, 1992
[S. 2890]

To provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes.

Civil rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

16 USC 461 note.

**TITLE I—BROWN V. BOARD OF EDUCATION NATIONAL
HISTORIC SITE**

SEC. 101. DEFINITIONS.

As used in this title—

(1) the term “Secretary” means the Secretary of the Interior.

(2) The term “historic site” means the Brown v. Board of Education National Historic Site as established in section 103.

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds as follows:

(1) The Supreme Court, in 1954, ruled that the earlier 1896 Supreme Court decision in *Plessy v. Ferguson* that permitted segregation of races in elementary schools violated the fourteenth amendment to the United States Constitution, which guarantees all citizens equal protection under the law.

(2) In the 1954 proceedings, Oliver Brown and twelve other plaintiffs successfully challenged an 1879 Kansas law that had been patterned after the law in question in *Plessy v. Ferguson* after the Topeka, Kansas, Board of Education refused to enroll Mr. Brown's daughter, Linda.

(3) Sumner Elementary, the all-white school that refused to enroll Linda Brown, and Monroe Elementary, the segregated school she was forced to attend, have subsequently been designated National Historic Landmarks in recognition of their national significance.

(4) Sumner Elementary, an active school, is administered by the Topeka Board of Education; Monroe Elementary, closed in 1975 due to declining enrollment, is privately owned and stands vacant.

(b) PURPOSES.—The purposes of this title are—

(1) to preserve, protect, and interpret for the benefit and enjoyment of present and future generations, the places that contributed materially to the landmark United States Supreme Court decision that brought an end to segregation in public education; and

(2) to interpret the integral role of the Brown v. Board of Education case in the civil rights movement.

(3) to assist in the preservation and interpretation of related resources within the city of Topeka that further the understanding of the civil rights movement.



**SEC. 103. ESTABLISHMENT OF THE CIVIL RIGHTS IN EDUCATION:
BROWN V. BOARD OF EDUCATION NATIONAL HISTORIC
SITE.**

(a) **IN GENERAL.**—There is hereby established as a unit of the National Park System the Brown v. Board of Education National Historic Site in the State of Kansas.

(b) **DESCRIPTION.**—The historic site shall consist of the Monroe Elementary School site in the city of Topeka, Shawnee County, Kansas, as generally depicted on a map entitled "Brown v. Board of Education National Historic Site," numbered Appendix A and dated June 1992. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 104. PROPERTY ACQUISITION.

The Secretary is authorized to acquire by donation, exchange, or purchase with donated or appropriated funds the real property described in section 103(b). Any property owned by the States of Kansas or any political subdivision thereof may be acquired only by donation. The Secretary may also acquire by the same methods personal property associated with, and appropriate for, the interpretation of the historic site: *Provided, however,* That the Secretary may not acquire such personal property without the consent of the owner.

SEC. 105. ADMINISTRATION OF HISTORIC SITE.

(a) **IN GENERAL.**—The Secretary shall administer the historic site in accordance with this title and the laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535), and the Act of August 21, 1935 (49 Stat. 666).

(b) **COOPERATIVE AGREEMENTS.**—The Secretary is authorized to enter into cooperative agreements with private as well as public agencies, organizations, and institutions in furtherance of the purposes of this title.

(c) **GENERAL MANAGEMENT PLAN.**—Within two complete fiscal years after funds are made available, the Secretary shall prepare and submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a general management plan for the historic site.

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$1,250,000 to carry out the purposes of this title including land acquisition and initial development.

TITLE II—DRY TORTUGAS NATIONAL PARK

Florida.

SEC. 201. ESTABLISHMENT OF DRY TORTUGAS NATIONAL PARK.

16 USC 410xx.

(a) **IN GENERAL.**—In order to preserve and protect for the education, inspiration, and enjoyment of present and future generations nationally significant natural, historic, scenic, marine, and scientific values in South Florida, there is hereby established the Dry Tortugas National Park (hereinafter in this title referred to as the "park").

(b) **AREA INCLUDED.**—The park shall consist of the lands, waters, and interests therein generally depicted on the map entitled

"Boundary Map, Fort Jefferson National Monument", numbered 364-90,001, and dated April 1980 (which is the map referenced by section 201 of Public Law 96-287). The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

16 USC 431 note.

(c) **ABOLITION OF MONUMENT.**—The Fort Jefferson National Monument is hereby abolished.

16 USC 410xx-1.

SEC. 202. ADMINISTRATION.

(a) **IN GENERAL.**—The Secretary shall administer the park in accordance with this title and with the provisions of law generally applicable to units of the national park system, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3, and 4).

(b) **MANAGEMENT PURPOSES.**—The park shall be managed for the following purposes, among others:

(1) To protect and interpret a pristine subtropical marine ecosystem, including an intact coral reef community.

(2) To protect populations of fish and wildlife, including (but not limited to) loggerhead and green sea turtles, sooty terns, frigate birds, and numerous migratory bird species.

(3) To protect the pristine natural environment of the Dry Tortugas group of islands.

(4) To protect, stabilize, restore, and interpret Fort Jefferson, an outstanding example of nineteenth century masonry fortification.

(5) To preserve and protect submerged cultural resources.

(6) In a manner consistent with paragraphs (1) through (5), to provide opportunities for scientific research.

16 USC 410xx-2.

SEC. 203. LAND ACQUISITION AND TRANSFER OF PROPERTY.

(a) **IN GENERAL.**—Within the boundaries of the park the Secretary may acquire lands and interests in land by donation or exchange. For the purposes of acquiring property by exchange with the State of Florida, the Secretary may, notwithstanding any other provision of law, exchange those Federal lands which were deleted from the park by the boundary modifications enacted by section 201 of the Act of June 28, 1980 (Public Law 96-287), and which are directly adjacent to lands owned by the State of Florida outside of the park, for lands owned by the State of Florida within the park boundary.

(b) **UNITED STATES COAST GUARD LANDS.**—When all or any substantial portion of lands under the administration of the United States Coast Guard located within the park boundaries, including Loggerhead Key, have been determined by the United States Coast Guard to be excess to its needs, such lands shall be transferred directly to the jurisdiction of the Secretary for the purposes of this title. The United States Coast Guard may reserve the right in such transfer to maintain and utilize the existing lighthouse on Loggerhead Key in a manner consistent with the purposes of the United States Coast Guard and the purposes of this title.

(c) **ADMINISTRATIVE SITE.**—The Secretary is authorized to lease or to acquire, by purchase, donation, or exchange, and to operate incidental administrative and support facilities in Key West, Florida, for park administration and to further the purposes of this title.

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

16 USC 410xx-3.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title. Any funds available for the purposes of the monument shall be available for the purposes of the park, and authorizations of funds for the monument shall be available for the park.

TITLE III—NATIONAL PARK SYSTEM ADVISORY COMMITTEES**SEC. 301. NATIONAL PARK SYSTEM ADVISORY COMMITTEES.**

16 USC 1a-14.

(a) **CHARTER.**—The provisions of section 14(b) of the Federal Advisory Committee Act (5 U.S.C. Appendix; 86 Stat. 776) are hereby waived with respect to any advisory commission or advisory committee established by law in connection with any national park system unit during the period such advisory commission or advisory committee is authorized by law.

(b) **MEMBERS.**—In the case of any advisory commission or advisory committee established in connection with any national park system unit, any member of such Commission or Committee may serve after the expiration of his or her term until a successor is appointed.

SEC. 302. MISSISSIPPI NATIONAL RIVER AND RECREATION AREA.

Section 703(i) of the Act of November 18, 1988 entitled "An Act to provide for the designation and conservation of certain lands in the States of Arizona and Idaho, and for other purposes" (Public Law 100-696; 102 Stat. 4602; 16 U.S.C. 460zz-2) is amended by striking "3 years after enactment of this Act" and inserting "3 years after appointment of the full membership of the Commission".

SEC. 303. EXTENSION OF GOLDEN GATE NATIONAL RECREATION AREA ADVISORY COMMITTEE.

Section 5(g) of the Act approved October 27, 1972 (16 U.S.C. 460bb-4(g)), is amended by striking out "twenty years" and inserting in lieu thereof "thirty years".

TITLE IV—NEW RIVER WILD AND SCENIC STUDY**SEC. 401. DESIGNATION OF NEW RIVER AS A STUDY RIVER.**

Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding the following new paragraph at the end thereof:

"() **NEW RIVER, WEST VIRGINIA AND VIRGINIA.**—The segment defined by public lands commencing at the U.S. Route 460 bridge over the New River in Virginia to the maximum summer pool elevation (one thousand four hundred and ten feet above mean sea level) of Bluestone Lake in West Virginia; by the Secretary of the Interior. Nothing in this Act shall affect or impair the management of the Bluestone project or the authority of any department, agency or instrumentality of the United States to carry out the project purposes of that project as of the date of enactment of this paragraph. The study of the river segment identified in this paragraph shall be completed and reported on within one year after the date of enactment of this paragraph."

Reports.

TITLE V—BOSTON HARBOR ISLANDS STUDY16 USC 1a-5
note.**SEC. 501. BOSTON HARBOR ISLANDS STUDY.**

(a) **IN GENERAL.**—The Secretary of the Interior shall, within 1 year after the date of the enactment of this title, conduct a study of the Boston Harbor Islands to assess the opportunities for the National Park Service to contribute to State, regional, and local efforts to promote the conservation of the Boston Harbor Islands and their use and enjoyment by the public. In conducting the study, the Secretary shall—

(1) consult closely with and explore means for expanded cooperation with the Massachusetts Department of Environmental Management, the Metropolitan District Commission, and the City of Boston;

(2) evaluate the suitability of establishing the Boston Harbor Islands as a unit of the National Park System;

(3) assess the opportunities for expanded tourism, public education, and visibility by managing the Boston Harbor Islands in conjunction with units of the National Park System in the vicinity, including the Adams National Historic Site in Quincy, Massachusetts; and

(4) evaluate the possibility for developing ferry service and other transportation links among those units to enhance their public use and enjoyment.

(b) **REPORT.**—The Secretary of the Interior shall submit to the Congress a report on the findings, conclusions, and recommendations of the study under subsection (a), by not later than 1 year after the date of the enactment of this title.

Approved October 26, 1992.

LEGISLATIVE HISTORY—S. 2890 (H.R. 5484):

HOUSE REPORTS: No. 102-1038 accompanying H.R. 5484 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-468 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 138 (1992):

Oct. 1, considered and passed Senate.

Oct. 4, 5, considered and passed House, amended.

Oct. 8, Senate concurred in House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 26, Presidential statement.

One Hundred Seventeenth Congress
of the
United States of America

AT THE SECOND SESSION

*Began and held at the City of Washington on Monday,
the third day of January, two thousand and twenty two*

An Act

To amend the Act entitled "Act to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes" to provide for inclusion of additional related sites in the National Park System, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Brown v. Board of Education National Historical Park Expansion and Redesignation Act".

SEC. 2. REDESIGNATION OF THE BROWN V. BOARD OF EDUCATION NATIONAL HISTORICAL PARK.

(a) IN GENERAL.—The Brown v. Board of Education National Historic Site established by section 103(a) of Public Law 102-525 (106 Stat. 3439) shall be known and designated as the "Brown v. Board of Education National Historical Park".

(b) REFERENCES.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the Brown v. Board of Education National Historic Site shall be considered to be a reference to the "Brown v. Board of Education National Historical Park".

(c) CONFORMING AMENDMENTS.—Title I of Public Law 102-525 (106 Stat. 3438) is amended—

(1) in the title heading, by striking "HISTORIC SITE" and inserting "HISTORICAL PARK";

(2) in sections 101(2) and 103(a), by striking "National Historic Site" each place it appears and inserting "National Historical Park";

(3) in the section heading for each of sections 103 and 105, by striking "HISTORIC SITE" each place it appears and inserting "HISTORICAL PARK"; and

(4) by striking "historic site" each place it appears and inserting "historical park".

SEC. 3. EXPANSION OF THE BROWN V. BOARD OF EDUCATION NATIONAL HISTORICAL PARK AND ESTABLISHMENT OF AFFILIATED AREAS.

(a) PURPOSE.—The purpose of this section is to honor the civil rights stories of struggle, perseverance, and activism in the pursuit of education equity.

(b) DEFINITIONS.—Section 101 of Public Law 102-525 (106 Stat. 3438) (as amended by section 2(c)) is amended—

(1) in the matter preceding paragraph (1), by striking "As used in this title—" and inserting "In this title:";

(2) in paragraph (1), by striking "the term" and inserting the "The term";

(3) in each of paragraphs (1) and (2), by inserting a paragraph heading, the text of which is comprised of the term defined in that paragraph;

(4) by redesignating paragraphs (1) and (2) as paragraphs (3) and (2), respectively, and moving the paragraphs so as to appear in numerical order; and

(5) by inserting before paragraph (2) (as so redesignated) the following:

"(1) **AFFILIATED AREA.**—The term 'affiliated area' means a site associated with a court case included in Brown v. Board of Education of Topeka described in paragraph (8), (9), or (10) of section 102(a) that is designated as an affiliated area of the National Park System by section 106(a)."

(c) **FINDINGS.**—Section 102(a) of Public Law 102-525 (106 Stat. 3438) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively;

(2) by inserting after paragraph (2), the following:

"(3) The Brown case was joined by 4 other cases relating to school segregation pending before the Supreme Court (Briggs v. Elliott, filed in South Carolina, Davis v. County School Board of Prince Edward County, filed in Virginia, Gebhart v. Belton, filed in Delaware, and Bolling v. Sharpe, filed in the District of Columbia) that were consolidated into the case of Brown v. Board of Education of Topeka.

"(4) A 1999 historic resources study examined the 5 cases included in Brown v. Board of Education of Topeka and found that each case—

"(A) is nationally significant; and

"(B) contributes unique stories to the case for educational equity."; and

(3) by inserting after paragraph (6) (as so redesignated), the following:

"(7) With respect to the case of Briggs v. Elliott—

"(A) Summerton High School in Summerton, South Carolina, the all-White school that refused to admit the plaintiffs in the case—

"(i) has been listed on the National Register of Historic Places in recognition of the national significance of the school; and

"(ii) is used as administrative offices for Clarendon School District 1; and

"(B) the former Scott's Branch High School, an 'equalization school' in Summerton, South Carolina constructed for African-American students in 1951 to provide facilities comparable to those of White students, is now the Community Resource Center owned by Clarendon School District 1.

"(8) Robert Russa Moton High School, the all-Black school in Farmville, Virginia, which was the location of a student-led strike leading to Davis v. County School Board of Prince Edward County—

"(A) has been designated as a National Historic Landmark in recognition of the national significance of the school; and

"(B) is now the Robert Russa Moton Museum, which is administered by the Moton Museum, Inc., and affiliated with Longwood University.

"(9) With respect to the case of *Belton v. Gebhart*—

"(A) Howard High School in Wilmington, Delaware, an all-Black school to which the plaintiffs in the case were forced to travel—

"(i) has been designated as a National Historic Landmark in recognition of the national significance of the school; and

"(ii) is now the Howard High School of Technology, an active school administered by the New Castle County Vocational-Technical School District;

"(B) the all-White Claymont High School, which denied admission to the plaintiffs, is now the Claymont Community Center administered by the Brandywine Community Resource Council, Inc.; and

"(C) the Hockessin School #107C (Hockessin Colored School)—

"(i) is the all-Black school in Hockessin, Delaware, that 1 of the plaintiffs in the case was required to attend with no public transportation provided; and

"(ii) is now used as a community facility by Friends of Hockessin Colored School #107, Inc.

"(10) John Philip Sousa Junior High School in the District of Columbia, the all-White school that refused to admit plaintiffs in *Bolling v. Sharpe*—

"(A) has been designated as a National Historic Landmark in recognition of the national significance of the school;

"(B) is now known as the 'John Philip Sousa Middle School'; and

"(C) is owned by the District of Columbia Department of General Services and administered by the District of Columbia Public Schools."

(d) PURPOSES.—Section 102(b)(3) of Public Law 102-525 (106 Stat. 3438) is amended—

(1) by inserting "protection," after "preservation";

(2) by striking "the city of Topeka" and inserting "Topeka, Kansas, Summerton, South Carolina, Farmville, Virginia, Wilmington, Claymont, and Hockessin, Delaware, and the District of Columbia"; and

(3) by inserting "and the context of *Brown v. Board of Education*" after "civil rights movement".

(e) BOUNDARY ADJUSTMENT.—Section 103 of Public Law 102-525 (106 Stat. 3439) is amended by adding at the end the following:

"(c) BOUNDARY ADJUSTMENT.—

"(1) ADDITIONS.—In addition to the land described in subsection (b), the historical park shall include the land and interests in land, as generally depicted on the map entitled 'Brown v. Board of Education National Historical Park Boundary Additions and Affiliated Areas', numbered 462/178,448, and dated February 2022, and more particularly described as—

"(A) the Summerton High School site in Summerton, Clarendon County, South Carolina;

"(B) the former Scott's Branch High School site in Summerton, Clarendon County, South Carolina; and

"(C) approximately 1 acre of land adjacent to Monroe Elementary School in Topeka, Shawnee County, Kansas.

"(2) MAP.—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service."

(f) PROPERTY ACQUISITION.—Section 104 of Public Law 102-525 (106 Stat. 3439) is amended—

(1) in the first sentence, by striking "section 103(b)" and inserting "subsections (b) and (c) of section 103";

(2) in the second sentence, by striking "States of Kansas" and inserting "State of Kansas or South Carolina"; and

(3) in the proviso—

(A) by striking "Provided, however, That the" and inserting "The"; and

(B) by inserting "or by condemnation of any land or interest in land within the boundaries of the historical park" after "without the consent of the owner".

(g) GENERAL MANAGEMENT PLAN.—Section 105 of Public Law 102-525 (106 Stat. 3439) is amended by striking subsection (c) and inserting the following:

"(c) AMENDMENT TO GENERAL MANAGEMENT PLAN.—The Secretary shall prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives an amendment to the management plan for the historical park to include the portions of the historical park in Summerton, Clarendon County, South Carolina."

(h) AFFILIATED AREAS.—Public Law 102-525 (106 Stat. 3438) is amended—

(1) by redesignating section 106 as section 107; and

(2) by inserting after section 105 the following:

"SEC. 106. ESTABLISHMENT OF THE BROWN V. BOARD OF EDUCATION AFFILIATED AREAS.

"(a) IN GENERAL.—On the date on which the Secretary determines that an appropriate management entity has been identified for the applicable affiliated area, as generally depicted on the map described in section 103(c)(1), the following shall be established as affiliated areas of the National Park System:

"(1) The Robert Russa Moton Museum in Farmville, Virginia.

"(2) The Delaware Brown v. Board of Education Civil Rights Sites, to include—

"(A) the former Howard High School in Wilmington, Delaware;

"(B) Claymont High School in Claymont, Delaware; and

"(C) Hockessin Colored School #107 in Hockessin, Delaware.

"(3) The John Philip Sousa Middle School in the District of Columbia.

"(b) ADMINISTRATION.—Each affiliated area shall be managed in a manner consistent with—

"(1) this title; and

"(2) the laws generally applicable to units of the National Park System.

"(c) MANAGEMENT PLANS.—

"(1) IN GENERAL.—The Secretary, in consultation with the management entity for the applicable affiliated area, shall develop a management plan for each affiliated area.

"(2) REQUIREMENTS.—A management plan under paragraph (1) shall—

"(A) be prepared in consultation and coordination with interested State, county, and local governments, management entities, organizations, and interested members of the public associated with the affiliated area;

"(B) identify, as appropriate, the roles and responsibilities of the National Park Service and the management entity in administering and interpreting the affiliated area in a manner that does not interfere with existing operations and continued use of existing facilities; and

"(C) require the Secretary to coordinate the preparation and implementation of the management plan and interpretation of the affiliated area with the historical park.

"(3) PUBLIC COMMENT.—The Secretary shall—

"(A) hold not less than 1 public meeting in the general proximity of each affiliated area on the proposed management plan, which shall include opportunities for public comment; and

"(B)(i) publish the draft management plan on the internet; and

"(ii) provide an opportunity for public comment on the draft management plan.

"(4) SUBMISSION.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives the management plan for each affiliated area developed under paragraph (1).

"(d) COOPERATIVE AGREEMENTS.—The Secretary may provide technical and financial assistance to, and enter into cooperative agreements with, the management entity for each affiliated area to provide financial assistance for the marketing, marking, interpretation, and preservation of the applicable affiliated area.

"(e) LAND USE.—Nothing in this section affects—

"(1) land use rights of private property owners within or adjacent to an affiliated area, including activities or uses on private land that can be seen or heard within an affiliated area; or

"(2) the authority of management entities to operate and administer the affiliated areas.

"(f) LIMITED ROLE OF THE SECRETARY.—

"(1) IN GENERAL.—Nothing in this section authorizes the Secretary—

"(A) to acquire land in an affiliated area; or

"(B) to assume financial responsibility for the operation, maintenance, or management of an affiliated area.

S. 270—6

"(2) OWNERSHIP.—Each affiliated area shall continue to be owned, operated, and managed by the applicable public or private owner of the land in the affiliated area."

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

Appendix B: Budgets, Staff, and Visitation

Brown v. Board of Education NHS: Budgets

Fiscal Year	Base/ONPS	Brown Foundation	Cyclical/ Donations/ One-time	Line-Item Construction	Total
1994	311,300 ⁴⁸⁸				311,300
1995	323,560	107,000	45,000		475,560
1996	307,200	102,000	35,400		444,600
1997	415,600	102,000	87,435		605,035
1998	489,500 ⁴⁸⁹	102,000	32,839		624,339
2000	524,000	101,000	118,000		743,000
2001	534,000	101,000	438,000	2,097,000	3,170,000
2002	563,710				490
2003	780,550	199,000			491
2004	1,159,000	183,965			492
2005	1,213,090 ⁴⁹³	246,527	3,045		1,462,662
2006	1,242,660	247,000			494
2007	1,260,526	123,000	40,890		1,314,416
2008	1,262,355	295,000	15,006		1,572,361
2009	1,604,780				495

⁴⁸⁸ Included unspecified funds for Brown Foundation. Original base funding was \$300,000, \$11,300 added during the year for unspecified reasons.

⁴⁸⁹ ONPS funding includes State Coordinator 1997 (\$1,500), State Coordinator 1998 (\$1,500) and VIP (\$1,400), in addition to base funding of \$485,100.

⁴⁹⁰ A report prepared by the park in 2017 provided a budget summary by years. Only the ONPS base was identified in the 2017 summary.

⁴⁹¹ Only the ONPS base was identified in the 2017 summary.

⁴⁹² Only the ONPS base was identified in the 2017 summary.

⁴⁹³ Base amount as stated in Annual Report. The 2017 summary identifies the ONPS base as \$1,236,000.

⁴⁹⁴ Only the ONPS base was identified in the 2017 summary.

⁴⁹⁵ Only the ONPS base was identified in the 2017 summary.

2010	1,104,275	300,000	236,000	1,640,517 ⁴⁹⁶
2012	1,576,040	293,000		497
2013	1,478,070			498
2014	1,557,270			499
2015	1,565,190			500
2016	1,592,910			501
2017	1,597,860			502
2018	1,626,000			503
2019	1,612,000			504
2020	1,639,000			505
2021	1,614,000			506
2022	1,516,000			507

⁴⁹⁶ Only the statutory aid to the Brown Foundation was defined; division between ONPS and additional funds was not defined and presented here as an estimate.

⁴⁹⁷ Unclear in 2017 summary if base includes statutory aid for Brown Foundation.

⁴⁹⁸ Only the ONPS base was identified in the 2017 summary.

⁴⁹⁹ Only the ONPS base was identified in the 2017 summary.

⁵⁰⁰ Only the ONPS base was identified in the 2017 summary.

⁵⁰¹ Only the ONPS base was identified in the 2017 summary.

⁵⁰² Only the ONPS base was identified in the 2017 summary.

⁵⁰³ Budget from NPS Scorecard, provided by Brown v. Board of Education NHP.

⁵⁰⁴ Budget from NPS Scorecard, provided by Brown v. Board of Education NHP.

⁵⁰⁵ Budget from NPS Scorecard, provided by Brown v. Board of Education NHP.

⁵⁰⁶ Budget from NPS Scorecard, provided by Brown v. Board of Education NHP.

⁵⁰⁷ Budget from Midwest Regional Office Budget Office, provided by Brown v. Board of Education NHP.

Brown v. Board of Education NHS: Staffing

Note: The following list of staff who have served at Brown v. Board of Education National Historic Site represents permanent staff only, and does not include seasonal staff or student employees.

Name

Dates of Service

Interim Superintendent

Sandra Washington	November 1992 – July 1994
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Superintendents:

Rayford Harper	July 10, 1994 – September 1996
Bess Sherman	September 1996 – October 1999
Stephen Adams	December 5, 1999 – July 2004
Dennis Vasquez	July 2004 – May 2009
Cheryl Brown Henderson	June 12, 2010 – December 31, 2010
David Smith	May 2011 – August 2014
Sherda Williams	January 18, 2015 – December 31, 2021

Chief of Interpretation

Robin White	April 15, 1995 – August 1997
Tyrone Brandyburg	October 1997 - 2000
Debra A. Riley	June 18, 2000 - 2003
William Beteta	February 2004 – April 2008
David Schafer	April 2009 – July 2013
Stephanie Kyriazis	September 2013 – December 2015
Enimini Ekong	May 2016 - 2021

Education Specialist

Linda Rosenblum	October 2005 – November 2007; April 2008 - 2010
Angela Estep	2011-2014 (?)
Nicholas Murray	2014-2017, 2020-present

Park Rangers / Park Guides

LaTrelle Pierre	March 3, 1996 - 1998
Tarona Armstrong	July 19, 1998 – 2000?
Qefiri Colbert	1997 – June 3, 2000
Randal Standingwater	August 13, 2000 - present
Teresa Valencia	August 13, 2000 - August 2006
Nicole McHenry	2004 - 2008
Amy Genke	2005 - 2009
Zionjah Wilson	2006 – present
Justin Sochaki	2009 - 2015
Aaron Firth	2010 - 2014
Mynesha Spencer	March 11, 2012 – 2021
Mallory Lutz	2017-2019
Dexter Armstrong	April 9, 2017 - 2021
Preston Webb	2019 – present
Fatimah Purvis	- present

Public Affairs Officer

LaTonya Miller 2001 – 2005

Historian

Rachel Franklin Weekley August 8, 1994 - 1999?

Thom Rosenblum October 2005 - 2017

Administrative Technician:

Teri Perry February 20, 1994 - 1995

Alicia Bullock May 30, 1995 – April 1997

Katherine Cushinberry May 12, 1998 – 2000

Administrative Assistant

Alicia Bullock April 14, 1997 – 2000

Katherine Cushinberry 2000 – 2001

Lydia Baez 2001 – 2021

Administrative Officer

Teri Perry 1995 – 1998

Alicia Bullock 1998 – 2000

Katherine Cushinberry 2001 – 2012

Katrina Fraise November 2012 – May 13, 2017

Kendra Halbert September 16, 2018 - 2021

Chief of Maintenance/Facility Manager

Treva Sykes	2005 - present
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Maintenance Workers

Treva Sykes	July 1995 – 2005
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William Ollioso	June 9, 2006 – present
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Brian Pracht	January 2, 2011 – March 1, 2022
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Information Technology Specialist

Cheryl DeShazer	2004 – 2011
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Terri Dixon	2013 - 2014
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Dean O'Brian	March 2019 - present
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Brown v. Board of Education NHS: Visitation

Year	Visitor Center/Museum	Outreach	Total
1997	728	N/A	728
1998	2,088	1,206	3,294
2000	200	9,264	9,464
2001	225	16,422	16,647
2002	351	4,002	4,353
2003	905	2,375	3,280
2005			19,164
2007			18,428
2008			15,991
2009			18,069
2010			16,805
2011			15,965
2012			21,101
2013			19,356
2014			26,868
2015			25,338
2016			27,968
2017			25,204
2018			24,083
2019			21,413
2020			4,064
2021			9,113

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