

CONFERENCE  
BEFORE THE  
UNITED STATES  
COMMISSION ON CIVIL RIGHTS

---

EDUCATION

---



CONFERENCE HELD  
IN  
NASHVILLE, TENNESSEE

March 5, 1959, Morning Session  
March 5, 1959, Afternoon Session  
March 6, 1959, Morning Session

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MEMBERS OF THE COMMISSION

JOHN A. HANNAH, *Chairman*  
ROBERT G. STOREY, *Vice Chairman*  
JOHN S. BATTLE

DOYLE E. CARLTON  
REV. THEODORE M. HESBURGH, C.S.C.  
J. ERNEST WILKINS (*Deceased*)

STAFF DIRECTOR, GORDON M. TIFFANY

AN ACT to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Civil Rights  
Act of 1957.

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

(e) Four members of the Commission shall constitute a quorum.

RULES OF PROCEDURE OF THE COMMISSION

SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such persons to subpoena additional witnesses.

(f) Except as provided in sections 102 and 105(f) of this Act, the Chairman shall receive and the Commission shall dispose of requests to subpoena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than \$1,000, or imprisoned for not more than one year.

Evidence or  
testimony.  
Release

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

#### IV

##### Witness fees.

(j) A witness attending any session of the Commission shall receive \$4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of \$12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpoena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpoena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpoenaed at a hearing to be held outside of the State, wherein the witness is found or resides or transacts business.

##### COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of \$50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of \$12 in lieu of actual expenses for subsistence when away from his usual place of residence, inclusive of fees or tips to porters and stewards.

(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of \$12 in lieu of actual expenses for subsistence when away from his usual place of residence, inclusive of fees or tips to porters and stewards.

##### DUTIES OF THE COMMISSION

SEC. 104. (a) The Commission shall—

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

(b) The Commission shall submit interim reports to the President and to the Congress at such times as either the Commission or the President shall deem desirable, and shall submit to the President and to the Congress a final and comprehensive report of its activities, findings, and recommendations not later than two years from the date of the enactment of this Act.

(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

Reports to  
President and  
Congress.

Termination of  
Commission.

##### POWERS OF THE COMMISSION

Staff director.

SEC. 105. (a) There shall be a full-time staff director for the Commission who shall be appointed by the President by and with the advice and consent of the Senate and who shall receive compensation at a rate, to be fixed by the President, not in excess of \$22,500 a year. The President shall consult with the Commission before submitting the nomination of any person for appointment to the position of staff director. Within the limitations of its appropriations the Commission may appoint

such other personnel as it deems advisable, in accordance with the civil service and classification laws, and may procure services as authorized by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates for individuals not in excess of \$50 per diem.

(b) The Commission shall not accept or utilize services of voluntary or uncompensated personnel, and the term "whoever" as used in paragraph (g) of section 102 hereof shall be construed to mean a person whose services are compensated by the United States.

(c) The Commission may constitute such advisory committees within States composed of citizens of that State and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

(d) Members of the Commission, and members of advisory committees constituted pursuant to subsection (c) of this section, shall be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99).

(e) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

62 Stat. 607  
et seq.

(f) The Commission, or on the authorization of the Commission any subcommittee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this Act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this Act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

Hearings, etc.

(g) In case of contumacy or refusal to obey a subpoena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Subpenas.

APPROPRIATIONS

Sec. 106. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

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Note: The Commission has avoided extensive corrections and the record following is the true transcript of what was actually said at the conference. To preserve the spontaneity of the proceedings appeared to be more important than to correct errors in grammar and syntax, which, however innocently undertaken and however desirable, could affect the context and subtleties of the spoken, unrehearsed words of the participants.



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## COMMISSION ON CIVIL RIGHTS

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THURSDAY MORNING SESSION, March 5, 1959

The Commission met in the Iris Room of the Hotel Hermitage, Nashville, Tenn., at 9 a.m., Thursday, March 5, 1959, Dr. John A. Hannah, Chairman of the Commission, presiding.

Present: John A. Hannah, Chairman; Robert G. Storey, Vice Chairman; John S. Battle, Commissioner; Doyle E. Carlton, Commissioner; Rev. Theodore M. Hesburgh, Commissioner.

Also present: Gordon M. Tiffany, Staff Director; Henry M. Shine, Jr., Special Assistant to the Staff Director; Mrs. Carol R. Arth, Executive Secretary; George M. Johnson, Director, Office of Laws, Plans and Research; William Swan, consultant, State Advisory Committees; David F. Koonce, consultant; Mrs. Elizabeth R. Cole, general attorney; John T. R. Godlewski, general attorney; Robert L. Nelson, research analyst; Howard W. Rogerson, legal assistant to Commissioner Battle; Harris L. Wofford, legal assistant to Commissioner Hesburgh.

### PROCEEDINGS

Chairman HANNAH. Ladies and gentlemen, may we come to order. First of all, I should like to say to all of the participants at this conference that this Commission is very grateful to each of you for your willingness to come and to participate and to prepare the documents and information that you have given us in advance. We are going to try to keep on our time schedule this morning and throughout the conference because unless we do, of course we are going to be in bad trouble almost from the beginning.

First of all, I would like to call upon Mr. William C. McIntyre, who is the assistant to his honor, the mayor, Ben West, of Nashville, to extend greetings on behalf of the city to the conference. Mr. McIntyre.

Mr. McINTYRE. Mr. Chairman, ladies and gentlemen, I would first like to express to you Mayor West's appreciation for your invitation to appear here and also his deep disappointment that he was unable to greet you personally.

I am sorry indeed that Nashville could offer you no more pleasant weather than we are having today while you are with us.

Mr. Chairman, with your permission, sir, I have a statement from the mayor which I would like to read.

*To Chairman John A. Hannah, to Members of the Civil Rights Commission National Conference of Public School Officials, and to Those Who Are Here To Participate in This Conference, the People of Nashville Offer You Their Welcome, Their Hospitality and the Benefit of Their Experiences in the Transition Period of Our Schools:*

We appreciate the invitation to greet you. The success we have realized here has been brought about by the sincere and conscientious deliberations of the Nashville City School Board, our loyal teachers, and the citizens' groups who have consistently shown their understanding of our problems.

Confidence in one another is born of honesty, sincerity, and community of purpose based on a system of desired fairness to all. The minimization of factionalized friction in Nashville could well be due to the balancing qualities of the equational factors of citizens having confidence in their local governments and these governmental officials having a reciprocating confidence in our citizens.

It must be said to the everlasting credit of those Nashvillians who have been opposed to the court order of desegregation of the public schools that by far the greater number have conducted themselves as God-fearing, loyal, law-abiding citizens of the democracy.

All Nashvillians do not agree that the Supreme Court decision was sound or that it was supported by logical legal principles. But all Nashvillians do agree that so long as the question remains in its present state, only peaceful and legally sanctioned methods of opposition shall be used. This, too, is a fundamental principle of the democratic government.

It is our hope and our prayer that your conference will be productive of better understanding and that the knowledge you gain here will be utilized to the fullest extent to promote at all governmental levels a deeper appreciation of those problems in this particular field which are peculiar to individual localities.

(S) BEN WEST,  
*Mayor of Nashville, Tenn.*

Thank you, Mr. Chairman.

Chairman HANNAH. Mr. McIntyre, we are very grateful to you for representing the mayor here this morning, and we will appreciate it if you will say to the mayor that we appreciate this fine statement of which he has given me a signed copy. We are sorry that he couldn't be with us, but we are grateful to the city of Nashville for the arrangements that have been made for acting as our hosts on this occasion.

Mr. McINTYRE. Thank you, sir.

Chairman HANNAH. Now I should like to introduce the members of the Commission. On my extreme left and your right is Father Theodore Hesburgh, the president of the University of Notre Dame, South Bend, Ind.

Between me and Father Hesburgh is John S. Battle, the former Governor of Virginia, from Charlottesville, Va.

On my right, your left, immediately next to me is Mr. Robert Storey, the dean of the Law School of Southern Methodist University and a former president of the American Bar Association.

On his right is Doyle Carlton, a former Governor of Florida, from Tampa, Fla.

I should like to introduce next Mr. Gordon M. Tiffany, who is the Staff Director of our Commission, and ask him to present the members of the staff who will participate in this conference. Mr. Tiffany.

MR. TIFFANY. Mr. Chairman, members of the Commission, and members of the conference, I take great pleasure in acknowledging at this time the wonderful assistance of the staff. First I would like to introduce Mrs. Carol Arth, the Executive Secretary to the Commission, whose signature you all have become acquainted with in recent weeks.

I would then like to introduce Dean George M. Johnson, the Director of the Office of Laws, Plans and Research in our Commission staff. Then Mrs. Elizabeth R. Cole, general attorney, who has been chief of the team that has been working on this conference. Next to her, on her right, is Mr. Howard W. Rogerson, the law assistant to Commissioner Battle, who has been assisting on this education team so far.

At the table to the left of the Commission, at the far left is Mr. Robert L. Nelson, research analyst. Sitting on his right is Mr. John T. R. Godlewski, general attorney, and at this end of the far table is Mr. Harris Wofford, the law assistant to Father Hesburgh.

Chairman HANNAH. Thank you, Mr. Tiffany.

They tell us that this humming that we get is due to the magnification of whatever is required when we don't speak directly into the microphone, and you have microphones on the table, not one for each individual, but it will be appreciated if each of you will speak as directly into the microphone as possible.

Now I should like to present the opening statement of the Chairman.

The Commission on Civil Rights was established by the Congress in 1957 as a fact-finding agency with a limited term of service. Its duties as defined by the act that created it are threefold: (1) to investigate complaints in writing, under oath, that citizens are being deprived of their right to vote by reason of color, race, religion, or national origin; (2) to study and collect information on denials of equal protection of the laws under the Constitution; and (3) to evaluate the sufficiency of laws and policies of the Federal Government with respect to equal protection. The object of its endeavors is to make a final report of its activities, findings and recommendations to the President and the Congress not later than September 9 of this year.

Early in its work the Commission decided to concentrate its efforts in three fields: voting, education, and housing. Congress specified the first and the Commission selected the others. There are other fields it might have chosen—such as fair employment practices, use of public facilities, administration of justice, et cetera—but I am sure that we all agree that in the present climate education could not be left out.

The law authorizes the Commission to carry out its duties in various ways. One is by consultation with representatives of State and local governments. It is under this provision that the Commission has invited you here today to consider and discuss with us "The Problems of Schools in Transition From the Educator's Viewpoint."

The Supreme Court in the famous case of *Brown v. Board of Education* in 1954 overruled the old "separate but equal doctrine" and declared that compulsory racial segregation in public schools is a denial of equal protection of the laws under the 14th amendment.

At the time of this historic pronouncement racial segregation in public schools was practiced in 20 of our States and the District of Columbia by express sanction or compulsion of State law. An additional State permitted racial segregation in its public schools, but in practice none existed. Sixteen States expressly prohibited segregation, and 11 had no provision on the subject. Incidentally, information collected by this Commission's staff indicates that deliberately established and maintained segregation in public schools by race or national origin exists in fact not only in the South but in at least one or two States outside of the South.

This Commission's study extends to all forms of minority-group discrimination in publicly controlled educational institutions.

At the college level, where admission may be determined by criteria other than age and residence, forms of discrimination more subtle than forthright exclusion on the basis of color, race, religion, or national origin are alleged to exist. At the public school level at least 12 States have adopted new laws to prevent, hinder, delay, or control the effect of the Supreme Court decision. These laws are being analyzed by the Commission in the light of pertinent court decisions. Almost 200 court decisions determining the right of admission to public schools on a nondiscriminatory basis have been handed down since 1954. These decisions are being studied. Information concerning school policies and practices is being sought in every State. These are some of the things the Commission is doing in the field of education.

Although the Commission's assignment is national in scope, our studies show that in public education the most pressing problem of denial of equal protection by reason of color, race, religion, or national origin lies in the 20 States in which segregation prior to 1954 was authorized or required by State law.

In some places American Indians, citizens of oriental ancestry, Japanese or Chinese, or Spanish-Americans have been the object of discrimination in public schools. Staff inquiries and studies include all of these groups. Some of the school districts represented in this conference have had to deal with the educational problems of some other minority groups as well as those of our American Negroes. But since on a nationwide basis there are 25 Negroes to 1 American Indian or citizen of Asian ancestry, and 10 Negroes for each Mexican or American born of Mexican parentage, it is clear that nationally the major problem of discrimination concerns the American Negro.

At the time of the 1950 census, about 70 percent of the total Negro population lived in the 20-State area which permitted or required

racial segregation in public schools. In its highest concentration, Negroes constitute 45 percent of the total population of one of these States. In the State with the great concentration of Spanish-Americans they constitute only 5 percent of the total population. These figures make it clear why discrimination directed against the American Negro must be of primary concern to this Commission.

At the beginning of the present school year, more than 700 school districts in 13 of the 20 States in which racial segregation in public education existed in 1954 had taken some steps to meet the new requirement of nondiscrimination. The District of Columbia and all but one of these States are represented here today.

In asking you to meet with us to talk about your experiences, this Commission is recognizing the importance of the role of public education in our national life and the public interest in assuring that transition be effected without diminishing the importance of that role and without lowering educational standards.

The Supreme Court pointed out this importance in the Brown decision saying:

Today education is perhaps the most important function of State and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the Armed Forces. It is the very foundation of good citizenship.

The Court's decree allowing time for the full implementation of its 1954 decision is unusual in the history of constitutional law. Constitutional rights are traditionally both immediate and personal and their enjoyment is seldom deferred. But in this case, the public interest in the education of millions of American children, both white and Negro, with a minimum of interruption or disorder and without a diminution of quality, outweighed the immediacy of the right of the individual to attend a public school on a nondiscriminatory basis. Time was allowed for the solution of local problems of administration, school plant, transportation, and related problems. The Court called for a prompt and reasonable start toward full compliance pursued in good faith and with all deliberate speed.

What deliberate speed may be under varying local conditions is a question for the courts.

What the problems are and how they have been or may be solved is properly within the scope of this Commission's work as a fact-finding agency. The Commission believes that educators who have had experience in desegregation are best qualified to identify and describe the problems and suggest solutions. That is why you have been invited here today.

You come from different types of communities—large cities and small, farming and industrial communities. Each of you represents

a school district that is unique by reason of the uniqueness of the people who live and work there.

Although those invited to participate in this conference represent only a few of the more than 700 school districts that have had some desegregation experience, they have been selected as a representative sample, and we believe that collectively they have tried many if not all types of desegregation plans. For these reasons we expect from a detailed study of your communities from you and a detailing of the problems you have faced to gain the understanding needed to enable this Commission to make sound findings and recommendations.

Free public education for all children is one of the most spectacular achievements of our American civilization with its ideal of equal opportunity for all. Compulsory school attendance laws in effect until very recently in all States demonstrate the universal acceptance of the importance of education both to the individual and to the Nation. To abandon either this ideal or our means of achieving it would be unthinkable in today's world.

The constitutional rights of all minority groups can and must be maintained and protected without injury to our great public educational system that serves 35 million children of all races, creeds, and national origins. In our meetings here for the next two days we will try to find out how this can best be done.

Now I am going to call upon Mr. Tiffany, the Staff Director, to explain the procedure that we expect to follow, and perhaps he would like to introduce those specially invited guests who are here around the U-table that are not actually participating in the program because, of course, those of you that are going to be called upon for formal presentations will be presented in due time, but there are a few specially invited guests that are also sitting at the table, and perhaps they should be introduced.

Mr. TIFFANY. Mr. Chairman, our registration has not been completed, so at the risk, perhaps, of overlooking some specially invited guests who are present, possibly including some who have not yet arrived, I will read the list as anticipated. The chairman of the Tennessee Advisory Committee, Mr. George R. Dempster. Is he present? Thank you, Mr. Dempster. Mr. Maclin P. Davis, also of the Tennessee Advisory Committee. Are there other members of the Tennessee Advisory Committee present?

Mr. John Hope.

Next we have from the Arkansas Advisory Committee—he is not here.

Is the chairman of the North Carolina Committee present? Mr. J. McNeill Smith, and the chairman of the Oklahoma Advisory Committee, Mr. John Rogers.

Are there other guests that have been omitted? Can you advise us on that?

Chairman HANNAH. The NEA and so on?

Mr. TIFFANY. The special guests on the other list include the Honorable Elliot L. Richardson, Assistant Secretary of the Department of Health, Education, and Welfare.

Chairman HANNAH. I think he will be here about the middle of the morning.

Mr. TIFFANY. Dr. William G. Carr, executive secretary of the National Education Association.

Dr. Charles G. Dobbins, representing the American Council on Education.

Dr. Foye G. Gibson, president of Scarritt College. Dr. Thomas D. Bailey, State superintendent of schools, Florida. Dr. Thomas G. Pullen, State superintendent of schools in Maryland. Dr. Rex M. Smith, assistant State superintendent of schools from West Virginia. Dr. Sam B. Taylor, State supervisor of secondary education in Kentucky; and Dr. Lee Wilborn, assistant commissioner for instruction in Texas.

Are there members present at the U-shaped table that have not been included at the present time? That are not on the speaking panel?

Chairman HANNAH. Perhaps it would be well, Mr. Tiffany—it wouldn't take but a minute—if we would just ask the people to go around the table, giving us their names and where they are from, because it would indicate who it is that we have. It wouldn't take but a minute.

Mr. KELLEY. Everett Kelley, Van Buren, Ark.

Dr. HANSEN. Carl Hansen, superintendent of schools, District of Columbia.

Mr. NEWMAN. James A. Newman, superintendent of schools, Anderson County, Tenn.

Mr. CROSSNO. R. G. Crossno, member of the school board, Anderson County, Tenn.

Mr. HUMAN. W. D. Human, principal of Clinton High School, Clinton, Tenn.

Dr. CARMICHAEL. Omer Carmichael, superintendent of schools, Louisville, Ky.

Mr. PARKER. Jack Parker, principal of Virginia Junior High School in Oklahoma City.

Mr. MILLS. Charles Mills, superintendent of schools of New Mexico.

Dr. FISCHER. John Fischer, superintendent of schools, Baltimore.

Mr. GREEN. David Green, superintendent of schools, Dover, Del.

Mr. OLIVER. William Henry Oliver, superintendent of schools, Nashville, Tenn.



Dr. BRYAN. Hugh Bryan, superintendent of schools, Leavenworth, Kans.

Mr. BEN L. SMITH. Ben Smith, superintendent emeritus, Greensboro Public Schools, Greensboro, N. C.

Mr. WADZECK. G. B. Wadzeck, superintendent of schools, San Angelo, Tex.

Mr. HARRIS. Claude Harris, assistant superintendent of schools in Muskogee, Okla.

Mr. PIPER. R. B. Piper, superintendent of schools, Logan County, Ky.

Dr. McCULLOUGH. Raymond McCullough, superintendent of schools, Talbot County, Md.

Miss O'BRIEN. Mary O'Brien, county school superintendent at Florence, Ariz.

Dr. MILLER. Ward Miller, superintendent of schools, Wilmington, Del.

Chairman HANNAH. Thank you very much.

Now, Mr. Tiffany, if you will explain the procedure.

Mr. TIFFANY. Mr. Chairman and honored guests, our procedure throughout the conference will be very informal. Those of you who represent school districts will be called upon to summarize your experience in desegregation of your school system in the order stated on the program. Please confine your remarks to 10 minutes so that we may have ample time for questioning. You may speak from your places, and I think in view of the microphone situation it is much better if we remain seated in the course of our discussions.

The microphones, if you haven't one directly in front of you, may be passed along from place to place when you start to speak so that we may miss none of your remarks. As far as the timing is concerned, a flash of the lights after you have spoken for 8 minutes will serve as a warning, and then a second flash at the end of 10 minutes will indicate that you should conclude your comments as soon as possible.

We will try to be reasonable about this up here, and I hope that you will try to follow these rules as well as may be.

A question period will follow immediately upon the conclusion of your comments. The Commissioners will open the questioning. Thereafter anyone sitting at the U-shaped table in front of the Commissioners may make a comment or ask a question after he has been recognized by the chairman. To secure recognition of the chairman simply raise your hand.

May I call your attention to the material at your places at the table. Each of you has received a conference handbook which contains a mimeographed copy of your own statement, a staff summary of the desegregation experience of each school district participating in the

conference, and various maps. You have all been informed that the conference is open to the press, but the Commission reserves the right to go into executive session at any time.

Anyone wishing to be heard in a closed session should communicate with me or with Mrs. Arth, whom I introduced to you earlier as the Executive Secretary to the Commission.

Mr. Chairman, the first speaker is Mr. Charles L. Mills, the superintendent of Schools of Hobbs, N. Mex.

**STATEMENT OF CHARLES L. MILLS, SUPERINTENDENT OF SCHOOLS,  
HOBBS, N. MEX.**

Mr. MILLS. Mr. Chairman, members of the Commission, I don't know why Hobbs, N. Mex., should be first unless it is because we were one of the first, if not the first, local school district to desegregate following the Supreme Court's decision. Our board of education made its decision to desegregate in May 1954, following the Supreme Court decision of that same month.

At that time we received undesired publicity in connection with our desegregation from the press, radio, TV, motion picture newsreels, and so on. It was of interest, of course, nationally, and that was why there was so much publicity. Then, too, I think probably because we were one of the first to desegregate.

On the face of the situation that existed in New Mexico, which I shall explain later, school officials in Hobbs had felt for some time that if and when the Supreme Court declared segregation unconstitutional, that Hobbs should desegregate. My remarks will cover mainly the period from May 1954 through the school board election the following year which occurred on the first Tuesday in February 1955.

It was the feeling of school officials in Hobbs, N. Mex., that the Supreme Court decision left us with no choice but to desegregate immediately in face of other existing conditions, namely, a Fair Employment Practices Act in New Mexico, and upon the advice of our local school board attorney, the Federal Civil Rights Act, title 18, section 242, which had been passed by the National Congress to enforce the 14th amendment.

Now, the situation in New Mexico briefly was such that desegregation had been asked for throughout the State for sometime. New Mexico is a bilingual State, the only State in the Union having two official languages, and by reason of the large Spanish-American, Mexican population in that State, you can readily see that there was tremendous pressure from the standpoint of equality of treatment to everyone.

Hobbs itself is a new community, having grown up from a very small crossroads store and 1-room schoolhouse to a community the

size it is today of some 32,000 in a quarter of a century. The people in this community come mostly from the South, Texas, Louisiana, Oklahoma, its main industry being oil.

It had the largest percentage probably of Negro citizens of any community in the State. School officials felt that because education is an important function of local and State government, the teaching of citizenship does become the primary function of the school. Therefore, the schools of all institutions must teach respect for law and order, and the best way to teach it is to follow and obey the laws of the land.

This was not a hasty decision. The board of education was in session almost constantly for a week to 10 days following the Supreme Court's decision. It held numerous meetings with its lay citizens' committee, at which its school attorney was always present; also representatives of news agencies, both radio and newspapers. Some basic principles were agreed on to begin with. One, that there should be complete unity, on the part of all school officials regardless of how any one individual might feel; that once a decision was made, we would all abide by that majority decision.

It was agreed at that time that the support of all State agencies, news agencies, and others would be solicited.

It was agreed that the decision would be announced in May, thus giving the community the summer months to adjust to the realities of the decision rather than waiting until near the opening of school.

It was agreed that the same basic zoning policies would continue and that the same policies governing the assignment of teachers would continue. As for the superintendent of schools, who is an employee of the board of education, charged with administering not only the board of education's policies, but of the director's of the State board of education, the New Mexico school laws and so on, I took the decision immediately, before community groups, through the press, that it was not a question of being pro- or anti-segregationist, but one of honesty, fairly, and impartially administering the laws of the land.

This summer was spent in many, many meetings, conferences, interviews. The local situation dictated a softening of the zoning policy to permit transfers to other schools within the system upon written request and with the proviso that the transfer would be approved only if there was room in the school for the youngster to attend that school and that he might be permitted to attend only so long as room continued to exist. Petitions were presented to the board, and the board held public hearings with petitioners. A suit was filed in the State courts which was denied. Pupil assignment to schools with Negroes was objected to. Pupil assignment to Negro teachers was objected to, but we held fast, and people even moved to other school zones, to other schools, rather than enroll in the school where Negro

children were attending school or to enroll in a class that had a Negro teacher.

We were fortunate in carrying out the decision in that we had the support of the news agencies, other State agencies; all school officials held rank in spite of the pressures.

We had splendid staff support. The problem was discussed frankly with the teaching staff, and I give credit primarily to the teaching staff for the successful desegregation of the Hobbs schools. We had support of thinking parents and teachers throughout the system.

So fortunately we were able to accomplish desegregation with a minimum number of problems. We had them, yes; we had a lot of emotion that was primarily, I think, induced by a leader of one of our local church groups on the issue of religion. We overlooked that point.

To begin with, we didn't think about the church group making religion the issue in this case, but it so happened in our case.

I hope I can answer any questions that you may have.

Chairman HANNAH. I would like to ask a question or two. You indicated that you had the largest percentage of Negroes in the Hobbs schools of any school system in the State. What was the approximate percentage of Negroes?

Mr. MILLS. At that time about 10 percent. Now a little bit less.

Chairman HANNAH. Had there been in Hobbs any segregation of the Spanish-Americans, the Mexicans, or the Indians?

Mr. MILLS. No, sir. Up to that point we had had very few Spanish-American children. We now have a considerable number.

Chairman HANNAH. I think in the statement that I saw—I don't believe you mentioned it in your comments here—if my memory is correct, you indicated that you have some Negro children in all of your schools. Was that correct, or did I get the wrong impression?

Mr. MILLS. Since the fall of 1954 there have been some Negro children in practically all the schools at one time or another. For example, with respect to school buses, whichever school they serve, there is no segregation there with regard to race; in other words, for Negro children on that bus at school. In other words, we followed that policy for years. We continue to follow it since desegregation.

Chairman HANNAH. You indicated that there was some objection on the part of parents or students when they were being assigned to classrooms when they were going to work under a Negro teacher. Were the qualifications of the Negro teachers in every way equal to the white teachers?

Mr. MILLS. Yes, sir.

Chairman HANNAH. In comparability with reference to training and experience?

Mr. MILLS. Yes, sir.

Chairman HANNAH. You have been now integrated about 5 years; this is your fifth year?

Mr. MILLS. Yes, sir.

Chairman HANNAH. Have you been able to discern any differences in the achievement level of the Negroes or members of the other minority groups under the present system as compared to the older system?

Mr. MILLS. It is more noticeable under the present system than it was under the older system in that the Negro youngster in some instances, more instances probably than would be true with the Anglo, is more retarded. We have felt it is probably due to his background rather than his educational opportunities because after all, education, the sum total of education, is a lot of things, including attitudes and feelings and emotions and all that sort of thing that are developed over the years, and they can contribute tremendously to the youngster's successful education. The youngsters in one school where there are more Negroes than in any other, their average achievement usually has been lower, although we think it is improving.

Does that answer your question?

Chairman HANNAH. Yes. I would like to refine it a little more. If I understood you correctly, you indicated that you thought possibly some of these Negro children now in the white schools have been retarded somewhat.

Mr. MILLS. Right.

Chairman HANNAH. As compared to what they were before. Are some of them advanced? Are there some of them advanced? Are there some of them that are better than before?

Mr. MILLS. Right. We have some who are outstanding students. We have, I think right offhand, a colored boy this year who is a senior who is an honor student and an outstanding athlete, and the fact that he is an honor student has nothing to do with his being an outstanding athlete, believe it or not.

Chairman HANNAH. The point I am trying to get at, it is often said that desegregation tends to be bad for the Negroes, and you have indicated that that is true for some. Some of them may be benefited by it. That is a common statement that is made, that it has the result of reducing the quality of the total program, so that the white children are disadvantaged somewhat, too. Do you have any comment on that?

Mr. MILLS. I don't think the percentage in our situation has been large enough to have hurt the quality of the total program overall. I think that if it were larger, it would pull it down maybe, but in our case, no.

Chairman HANNAH. You said something about the fact that you had had a good deal of opposition from a variety of sources in the beginning and particularly a church group. Now, after 5 years, has that all disappeared, or do you continue to have local opposition?

Mr. MILLS. There is no open local opposition. There may be feeling—I am sure there is—feelings locally that are—

Chairman HANNAH. I have just one more question, and we will turn to other members of the Commission. I don't think this was included in your remarks, but as I read your preliminary material, you had one high school that was a Negro high school before 1954.

Mr. MILLS. Right.

Chairman HANNAH. When you moved into the integration. How much trouble did you have getting white people to attend this school that had formerly been Negro? Was there a tendency on the part of the youngsters that had been in the Negro school to want to stay there? Did you get any considerable number of whites that wanted to move into that school?

Mr. MILLS. No.

Chairman HANNAH. It continues to be a Negro school.

Mr. MILLS. It continues to be—of course that school was abolished. We now have just the one high school.

Chairman HANNAH. That is the point. I recall that. Do any other Commissioners have some questions? Dean Storey?

Vice Chairman STOREY. Mr. Mills, as I understand, you said originally the Negro population was approximately 10 percent, but that had diminished some from 1954, is that correct?

Mr. MILLS. Yes, sir.

Vice Chairman STOREY. About what is it now?

Mr. MILLS. I would say between 8 and 9 percent.

Vice Chairman STOREY. What, in your opinion, has been the reason for the reduction in the Negro population since that time?

Mr. MILLS. I don't think there is any significance with regard to that for the reason that where we had less than 5,000 probably at that time we now have less than 7,000. I think it is growth of the community, and the growth has been a little larger in the Anglo population than the Negro, and the Negro, too, has increased, but not as much.

Vice Chairman STOREY. About what is it now then, would you say, percentagewise?

Mr. MILLS. Between 8 and 9 percent.

Vice Chairman STOREY. Just for the record, approximately what is the percentage of the Spanish-American population in your city?

Mr. MILLS. It would be very small, probably a third of that.

Vice Chairman STOREY. Then you have some Indians, do you not?

Mr. MILLS. No; no Indians at all.

Vice Chairman STOREY. No other special minority groups except the two you mentioned?

Mr. MILLS. No; that's right.

Vice Chairman STOREY. Prior to your integration did you have separate facilities for the Spanish-American?

Mr. MILLS. No.

Vice Chairman STOREY. Never has been.

Mr. MILLS. No. Up to that time we hadn't had an average of over one in any class.

Vice Chairman STOREY. You mentioned the Negro teachers. Approximately how many Negro teachers did you have at the time you integrated in 1955?

Mr. MILLS. I believe it was 12.

Vice Chairman STOREY. Have all of those been absorbed or not?

Mr. MILLS. Yes. They were all absorbed. They were all retained and we still have about the same percentage.

Vice Chairman STOREY. One or two other questions. I believe you said the assignment of the Negroes in other schools was handled by application and written transfers, am I correct in that?

Mr. MILLS. No. The assignment was with regard to certain families in areas where Negro children were living, who objected to going to school in that particular zone, so we liberalized our transfer policy whereby they might transfer, furnish their own transportation and so on, to some other school in the system, on condition that it be in writing and that there was room for them to be approved and it would be approved only so long as room remained there for them.

Vice Chairman STOREY. As a result and at the present time do you have any all-Negro schools left in the system?

Mr. MILLS. We have one that is predominantly Negro, and that is in the residential area.

Vice Chairman STOREY. Because of the residential and geographical area.

Mr. MILLS. Right.

Vice Chairman STOREY. Are there any whites in the school which you mentioned?

Mr. MILLS. I don't think there are any whites. There are some Spanish-Americans in that particular zone.

Vice Chairman STOREY. In the high school you mentioned, how many Negroes are there in the high school now, just approximately?

Mr. MILLS. I would say about 60 out of an enrollment of about 1,100 in grade school, 10 through 12.

Vice Chairman STOREY. Do you have any school that does not have a Negro in it?

Mr. MILLS. There may be 2 in the system that do not, and there are 11 schools in the system.

Vice Chairman STOREY. Thank you.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. Nothing.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. Did I understand you to say there were 60 Negroes in the high school?

Chairman HANNAH. How many Negroes in the high school?

Mr. MILLS. Sixty.

Commissioner BATTLE. Out of how many?

Mr. MILLS. About 1,100.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Mr. Mills, I gather from the whole history you have presented that this transition has been characterized by being smooth rather than tough and violent, is that a correct assumption?

Mr. MILLS. There was quite a lot of emotion in the implementing of the desegregation. There were indications that there would be violence, that is, on the part of those who were opposing desegregation, but actually there was none.

Commissioner HESBURGH. I see. That was the point I was trying to make. What would you say was the greatest single factor, in your judgment, that avoided the outbreak of violence in a situation that potentially could have been violent?

Mr. MILLS. I would say No. 1 was the united front presented by school leaders, those responsible for making the decision and implementing it, namely the board of education administrative staff, the teaching staff, other State agencies, local agencies. For example, the district attorney met with this group at one time and so advised them as to what the law was and what his position was. So I think that was No. 1.

Then, of course, I think the press, a friendly press, that objectively presented the facts without necessarily taking either side, by not getting involved in the controversy, helped.

Commissioner HESBURGH. There was then a kind of educational process going on in the local community with reference to law and order.

Mr. MILLS. Oh, yes. For example, one of the first conferences I had was with the local PTA council representing all the PTA organizations with regard to the facts of the case, decision of the board. We went from there to individual PTA groups, civic groups, during the summer months, just explaining the facts of the case.

Commissioner HESBURGH. I see. One last question. Let me ask this question preliminary to that: How many white teachers are there in your system?



Mr. MILLS. We have 298 teachers in our system at the present time; about 12 Negroes in the system.

Commissioner HESBURGH. One last question on my part. Have you found that this desegregation in the school system has had any repercussions or any effect towards desegregation in other areas of social and public life in your community? Say in restaurants or transportation or things of that sort?

Mr. MILLS. It has liberalized the attitude some, I think, although there is still in actual practice some segregation. You mean communitywise now?

Commissioner HESBURGH. That's right.

Mr. MILLS. Yes; there is some segregation communitywise yet and probably will be within my lifetime.

Commissioner HESBURGH. So it is more a question of something that is begun in the school on a matter of educational principle, and you don't expect any immediate results in the community at large except a liberalization of attitude at the beginning.

Mr. MILLS. This fact would be interesting, that we had no tensions between the races within the schools—and this last week we had a little incident happen, and one of the youngsters made the remark that probably he had been reading too much and seeing too much TV and so on—tensions that are over the country as a whole, but that was the first incident we have had, and it was not a serious one. We were able to control it. Of course we have been vigilant, especially vigilant, periodically. We have reviewed the problem with the staff, and even though some of the members of the staff are in disagreement on the matter, they go right along and support it as a united front. I think that is our number one strength.

Commissioner HESBURGH. Thank you very much, Mr. Mills.

Commissioner CARLTON. Is the situation in your community typical of the entire state?

Mr. MILLS. Well, in New Mexico there are no segregated schools, and I would say that probably our situation was the most emotional situation in the State, but we have been able to achieve it, and we have had some problems, of course, and will have.

For example, that first year we had some difficulty with our athletic schedules. We had some cancellations, but we just held fast to our policy, and one by one those objections have been reduced. We still have some objections, of course.

Chairman HANNAH. Did I understand you to say there are no segregated schools now in New Mexico? They are all desegregated?

Mr. MILLS. Yes, sir.

Chairman HANNAH. We have a few minutes. Do any of the participants around the U-shaped table have a question?

Mr. WADZECK. I was especially interested in the Negro teachers that were in the schools, Dr. Mills. Did they come from integrated colleges or from Negro colleges, or was there a difference in the teachers that came from different colleges?

Mr. MILLS. Some of them were from integrated colleges. I think of one from Colorado State Teachers College at Greeley. Some were from Negro colleges. We assigned them on the basis of their training and ability to do the job as we do any other teacher, and we have them assigned in the senior high school, the junior high schools, of which we have two, and in the area where we have predominantly Negro student bodies.

In the schools where we have the predominantly Negro student body we have some white teachers also, but most of them are Negro.

Mr. WADZECK. One other question. Did your Negro parents object to the Negro teachers and want white teachers?

Mr. MILLS. Some of them did; yes. Some of them wanted white teachers.

Chairman HANNAH. Any other questions from the participants at the U-table?

Dr. CARMICHAEL. You mentioned white teachers in the school which is principally Negro children. Is the principal of that school Negro or white?

Mr. MILLS. He is Negro.

Chairman HANNAH. Any other questions from the participants? If not, Dr. Mills, we are very grateful to you for this very fine presentation. Now that you have your part behind you, you can relax and quiz the others.

Mr. MILLS. That is one advantage of being first, isn't it?

Chairman HANNAH. Mr. Tiffany, will you present the next participant?

Mr. TIFFANY. The next participant, Mr. Chairman, is Dr. Hugh C. Bryan, superintendent of schools in Leavenworth, Kans.

Chairman HANNAH. Dr. Bryan.

#### **STATEMENT OF DR. HUGH BRYAN, SUPERINTENDENT OF SCHOOLS, LEAVENWORTH, KANS.**

Dr. BRYAN. Mr. Tiffany, members of the Commission, and fellow participants, I have not a formal presentation such as Mr. Mills had. I have some notes here. I come with a good many impressions, some experience, and a few ideas that I have gained first hand and a good many I have gained from talking with others.

I think that in this matter every community is different and enters this project with a different background. Leavenworth is the oldest town in Kansas and has had a publicly operated school system since

1857 on which I have records, and from the very beginning there have been separate schools for Negroes. The community background is such that there is quite a lot of pride—I hardly know how to say this, but I have heard it expressed to me this way many times and with a certain amount of pride, that you know, Leavenworth is an old proslavery town and believes in keeping the Negro in his place—whatever that means.

I facetiously said on numerous occasions, and I think it is practically true, that Leavenworth is a southern town situated in the North. We have maintained the separate Negro schools through the years and still operate them. When the high school was developed, in the early days there were no Negroes attending, and then ever so gradually there were a few Negroes that began to enter the high school. I have no exact record of that, and I believe that our school history and statistical information does not record it, but it has certainly been only since World War I that any significant number of Negroes have attended the high school. That has grown from a few to the present time of approximately 100 or more than 10 percent of the high school.

Some of the impressions that I have—and if you want to ask me about this, I think that will be better than my bringing formal presentation—there are 12 first-class cities in Kansas where segregation was permitted, and the superintendents of those cities met regularly, or I should say we met five or six times a year, to discuss our problems, and the problems of integration have been on our agenda many times, and I know the attitude and the operation of those schools almost as well as I do in Leavenworth, but that might be only hearsay evidence to you, and I will let you question me if you want to ask about any of those.

In the high school where we have had an integrated school prior to 1954 and a growing Negro enrollment, the change has been coming about for a number of years. As much as 12 years ago we began to permit Negroes to participate in sports, first on a gradual basis, and now full acceptance. We put a cafeteria in the high school about 10 years ago, and at first there was considerable anxiety about the fact that we would have race riots—maybe I should put that in quotes, but that was what people said, if we didn't have a separate dining room for the Negroes. We watched the situation carefully and developed it until we have a fully integrated school lunch room now, and the students accept it very gracefully.

Negro students have been accepted in the other activities of the school, dramatics, musical organizations, and so forth, and finally, the most slow to develop has been the social functions, and now we have the Negroes attend the mixers, parties, programs, and various things—not without incident and not without objection, but it is being accepted.

We have an ROTC program, junior ROTC program, and the only student high school in Kansas having one, and of course that is staffed by Regular Army personnel. They are on our teaching staff, and one of the early things that I believe helped was that the Army, being desegregated, made no distinction in giving noncommission and commission awards to student cadets, and we have had Negro officers handle companies and platoons without incident, and it has been very well accepted.

I would say that one of the major reasons for our success is the fact that we have moved very slowly and the fact that we have had little publicity. I have worked with the newspaper from the first and tried to explain to them, and I gained from talking with some of my fellow superintendents in the other cities of Kansas, and we are pretty much agreed that if you can get the newspapers to go along and not make headline stories out of your integration moves and let it come along slowly and without too much fanfare, that it is better accepted than if it gets to be too large a story. I think you understand that.

We have moved slowly inasmuch as we are still operating two Negro schools on a voluntary basis. They are completely staffed with Negro teachers, but while it would be permissible for white students to attend those schools, none have chosen to do so. They have always chosen to transfer to a white staffed school. We have done no integration of Negro teachers, and although school officials are ready to move, public attitude—and the board of education reflects that community attitude—I would say, has resisted it to this time. The issue is still in doubt for the fall of 1959 as to whether or not we make a mild move in that direction.

I think it is pertinent to my discussion to call your attention to some errors in that summary that have been made, and I think I can make some comments on it, and I think you can correct your sheets, and if I am at fault for the errors that crept therein, I humbly apologize.

On the mimeographed sheet, an insignificant error is that we contend that the city of Leavenworth was incorporated in 1854 rather than 1855 as mentioned in the opening paragraph, a minor matter, but we celebrated our centennial on June 6, 1954.

Down below in the population, present population, according to the annual census we take in the city, it should be just over 22,000, of which there are more than 3,000 Negroes. I think the figures shown there for your 1950 census of 10 percent are nice round numbers someone came up with, and I believe that was low. I believe the figure at that time would have proved to be 14 to 15 percent, at least more than it shows there.

I checked these statistics with some well-informed persons, including a couple of Negro ministers whom I know quite well, and they told me that there are 7 large Negro congregations, and in their judgment there are well over 2,000 in their combined congregations, and there are a good many unaffiliated Negroes, unaffiliated with any church, they contend.

The best estimate is that at present there are in excess of 3,000 Negroes or about 14 percent of our population. The rest of those statistics are reasonably correct, but some of them are estimates. On page 4 I think there are some pertinent changes that should be made, and these are based on estimates at best.

For example, we do not know specifically how many Negroes we have in our high school at this time. I called the high school principal and asked him for that information. He said, "We don't count them. Do you want me to count them?"

Well, I think it is possibly indicative of our attitude that we do not statistically record our student population by races. The State does not require it any more on our reports to the State department. We do not report it on the census like we used to, so we simply don't count them, but we know pretty well.

However, in that statistical information, schools attended by both races is in error. Where it says 7, 7, and 9, that should be 5, 5, and 6.

On the next line, white students in all-white schools, for the year 1956-57 should be 1,134 rather than 651, and it should be 571 rather than 161.

Likewise, on the next line, where it says 2,800, that should be 2,300, and 2,890 ought to be changed to 2,380, and I don't know how this next mistake crept in, but that 3,589—fortunately I brought with me the enrollment statistics, and I counted them up last night after I saw this report and analyzed it. That figure is at the present time 3,134 or, as of January 15 statistics, 3,134 rather than 3,589.

The next line is correct until in the last column, and where it says 360, that should be 405.

If you add those up, you will find that brings with our total enrollment, first column, 3,884. The next one to 4,017; and the third one to 4,150.

Leavenworth is a federally impacted area. Forty-four percent of our children have parents working for the Federal Government. That is because of Fort Leavenworth, the Federal Penitentiary, the Veterans' Administration Facility, tremendous large Federal institutions adjacent to the city.

Some of our most bitter complaints have come from people new in the community, and while we have no statistical knowledge, we haven't done a research project to gather statistical information on it, it occurs to us that there is an inordinately large percentage of civil-

service employees and Army personnel who come in and out of our community and who are from the South and have objection to even as much integration as we have done.

In 1954 we started a gradual integration plan described in the documentary information presented or the reports that I have made. We started with the first grade in 1954 and moved up a grade a year until we were up to the fifth grade during this current year, 1958-59 school year.

However, because the Negro population was growing up rapidly, one of our Negro schools was quite overcrowded.

Incidentally, through the years we have run our Negro schools from kindergarten through grade eight, whereas the white schools were run from kindergarten through grade six, and those children went to a junior high school which was an all-white school, and the colored youngsters went to eighth grade in their schools and then went into senior high school at ninth grade level. We ran two ninth-grade programs. While I have no recorded resolutions to indicate why that system was set up, I infer that it was to maintain as much segregation as was legally permissible through the years.

During this current school year we had to move the eighth grade out of one school, one Negro school, into the junior high school. I met with the parents, the Negro parents, of that school last spring, explained the situation to them very carefully, told them that we were going to give them the opportunity to send the children to junior high because we didn't have room for them in that school or to the other colored school where we did have ample room, and a little more than half of the parents chose to send their children to the other Negro school and less than half to the junior high school, so that we have a modicum of integration in the junior high school.

We have 7 Negro children out of more than 600 student population at the present time.

I would say that it has moved rather slowly. I talked to newspapers about it, and we didn't announce that we were doing this except to the parents. When the Negro children showed up at school, there were a few rather questioning phone calls that we received at the central office. We explained to them on an individual basis as best we could and it has been accepted reasonably well.

There have been a few delegations that went to the board and called at my office; NAACP representatives have called and expressed they thought we ought to move faster. We have been criticized by them for not placing some Negro teachers in the integrated high school. I have contended that we would if we found the right person.

As a matter of fact, I offered a contract, with board approval, to a school librarian last year who was a Negro, but she declined the offer and accepted a position in Wichita, another Kansas city.

I believe that that would be sufficient for my formal presentation, and I would welcome any question that you have.

Chairman HANNAH. Dr. Bryan, I would like to ask two or three questions. In the preliminary information that I read about the Leavenworth school system I got the impression that you have a fairly sizable parochial school program in Leavenworth. What percentage of the youngsters of school age are going to parochial schools?

Dr. BRYAN. One-fourth.

Chairman HANNAH. Were the parochial schools desegregated prior to 1955?

Dr. BRYAN. On a very limited basis, ever so lightly; possibly one or two in their Catholic high school. We have six parochial schools. Five of them are elementary, and one of them is a Lutheran school, the other four being Catholic schools, and we have a Catholic high school. Approximately one-fourth of the student population of Leavenworth goes to parochial schools. Approximately one-third of the population of the city is Roman Catholic.

Chairman HANNAH. To get at it another way, they have not operated a segregated school.

Dr. BRYAN. Yes; they were segregated, I would say, up until 6 or 7 years ago.

Chairman HANNAH. Are they now completely integrated or desegregated so far as you know?

Dr. BRYAN. They have a few colored students; that is the best way I can answer that. There are not many Negro Catholics. I think that is the simplest answer to that.

Chairman HANNAH. Do you have any feeling that the desegregation that you have now in effect has hampered or lowered the standards that you are able to maintain for your white students? Has it had any harmful effect on the quality of the programs being offered?

Dr. BRYAN. No; I would say that it has not; possibly for several reasons. We have a small integration. According to my figures we have 140 in a student population—well, we have 140 Negro students attending integrated schools. One hundred of those are in the high school, which leaves only 40 of them which are distributed over the junior high and 4 rather large elementary schools. The largest number in any elementary school is 12.

Chairman HANNAH. As these Negroes have moved into the high school from the grade schools have they on the average performed as well as the white student in the high school?

Dr. BRYAN. We haven't had experience on that as yet. We started with the first grade in 1954. The program is not that far along. The

ones that have been integrated from 1954 are only up to the fifth grade this year.

Chairman HANNAH. It is my understanding that prior to 1955 the high school was integrated; all of the Negroes that were going to high school were in the one high school.

Dr. BRYAN. Yes, sir.

Chairman HANNAH. What I had in mind was, has the performance of these Negroes in this single integrated high school been comparable with the performance of the whites in the high school?

Dr. BRYAN. No, sir.

Chairman HANNAH. Do you have any comments? Is this because they have less good training in the segregated schools, or have you come to any conclusions at all?

Dr. BRYAN. I think my answer would be standard along this line. Our ability testing which we do, mental tests, shows that on the average the Negro students, for some reason, are lower. There are a great many who are suprisingly dull, and there are a few who are suprisingly bright. Quite a number are average.

I can give you this information, that in our school we have both a program for the academically talented children, and we have established just recently a program of ungraded English for obvious reasons, English being a required subject, and while we haven't statistics on it, we placed those students in ungraded English because of their poor achievement for any reason, and those classes are overwhelmingly Negro.

Chairman HANNAH. Dean Storey, do you have any questions?

Vice Chairman STOREY. No.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Mr. Bryan, I get the impression from your report that you think you are making progress in this without unduly getting everyone excited about it, is that correct?

Dr. BRYAN. I think we are making slow progress. It is not as fast as possibly some of us would like from the human relation standpoint, but I believe it is about as fast as the majority of the community will accept without protest that would cause discomfort or even an incident.

I might say that I have met with the Negro parents at both of our colored schools at least once a year since 1954, and I have explained to them that we are moving slowly and surely, and if we move too fast, we could be set back, and we think that the gains we are making are going to be substantial and sure gains.



COMMISSIONER HESBURGH. You mentioned one case of an option where Negro parents had an option of going to a white school, an integrated school, or their own not integrated school, and about 50 percent of them chose to go to their own not integrated school.

Dr. BRYAN. That's right; at a greater distance.

Commissioner HESBURGH. Is this a typical reaction, would you say, from your other experience in the communities?

Dr. BRYAN. It is my conviction that the majority of Negroes enjoy their separate schools with their Negro teachers. I think it is only the fact that they are denied attending other schools that causes them the difficulty. I think if they are permitted to and have a choice, many of them will choose to go to their own schools, if they are good schools, well-staffed by understanding, well-prepared teachers with fine physical facilities—it has been my experience that they like that situation.

Commissioner HESBURGH. I gather that you spend a great deal of time yourself personally in being a mediator in this problem with the dissatisfied parents.

Dr. BRYAN. Yes, sir.

Commissioner HESBURGH. First of all, is this a true assumption, that you spend a good deal of time talking to upset parents?

Dr. BRYAN. I would say it is one of the major duties in public relations that I have been getting into.

Commissioner HESBURGH. Do you find that most parents that you sit down and talk to in this fashion can be brought to what you consider to be a reasonable point of view?

Dr. BRYAN. Negro parents?

Commissioner HESBURGH. Both Negro and white.

Dr. BRYAN. I think the Negro parents are more understanding than the white parents.

Commissioner HESBURGH. I see.

Dr. BRYAN. There are a few Negro parents who are, for prestige purposes or something or other, very definite in wanting their children and other people's children to go to other schools. I think the reasons are obvious, and I think they are understandable.

Chairman HANNAH. Are there questions that any of the participants at the U-shaped table would like to ask?

I take it there are no questions from the U-shaped table.

How many Negro teachers did you say you had in your school system?

Dr. BRYAN. Sixteen Negro teachers, and our total staff is 166, so there are 150 white and 16 Negro.

Chairman HANNAH. I would like to ask the same question asked by Mr. Wadzeck, I think. Are these 16 Negro teachers trained largely in integrated northern universities or in Negro universities?

Dr. BRYAN. All in Kansas schools.

Commissioner HESBURGH. Is the main integration activity in the school, in your opinion?

Dr. BRYAN. Definitely; I have said so many times. We are so far ahead of the organizations who specialize in morality and human relations that there is no comparison. There are no integrated churches, no integrated Boy Scout units, and a lot of things like that.

Commissioner HESBURGH. Your activity would be the pioneer activity in that community.

Dr. BRYAN. I think we are essentially the only one. We even have incidents about not permitting Negroes to eat in cafes and the like. It is the common practice. Negroes are not employed except in menial jobs in industrial plants of the community.

Chairman HANNAH. Any other question anyone would like to ask? If not, Dr. Bryan, thank you very much.

Dr. CARMICHAEL. Might I ask one question?

Chairman HANNAH. Yes.

Dr. CARMICHAEL. Would the superintendent compare the overall competence of his Negro and white teachers one with the other?

Dr. BRYAN. In my opinion our Negro teachers are a good average. Some of the very best teachers in our school system are Negro. I say that they are a good average. They will compare equally and favorably, preparation and efficiency.

Chairman HANNAH. No other questions, Dr. Bryan. We are very grateful to you.

WRITTEN STATEMENT OF HUGH C. BRYAN, SUPERINTENDENT,  
LEAVENWORTH, KANS., PUBLIC SCHOOLS

Leavenworth is the oldest town in Kansas having been chartered by territorial government in 1854. At the time of chartering it was a significant community having developed adjacent to Fort Leavenworth which had been established in 1827.

History records that a Negro cavalry unit was disorganized at Fort Leavenworth and this gave rise to much of the Negro background of the community. School records of a public school system as a community enterprise go back to 1857. At that time it was operated under an elected board of trustees. From that time forward there have been separate schools. Two Negro schools were in operation in 1857 and that pattern has continued to the present time.

Leavenworth High School is the oldest public high school in the State of Kansas having been established as a publicly supported high school in 1864. As early as 1855 there was a secondary school organized which was called the Leavenworth Male and Female Seminary, which was followed by a private high school in 1859.

In the early days few Negroes attended high school. Only with the last generation has any significant number of Negroes attended the high school. Kansas law permitted first-class cities to operate segregated schools at the elementary or grammar school level. Consequently, the high school has never been segregated but the pattern developed over the years is that the two Negro elementary schools operate from kindergarten through grade 8 and the graduates of those schools enter the high school at the ninth-grade level. Elementary school for white children operated kindergarten through grade 6. These children went to a junior high school for grades seven to nine and then to the senior high school at the 10th grade level. The junior high was thus maintained as a segregated school.

Until about 1944 Negro pupils in the high school were not permitted to engage in activities. There was a separate organization known as the Colored Students' Activity Association. In the school assemblies they were required to sit in a segregated section. They did not participate in dramatics, music, athletics or any extracurricular activities except to compete with other schools having separate Negro organizations within the school. Gradually the situation has been changed until there is almost complete and unprejudiced participation permitted Negro students.

We do not separately record pupils according to race. Consequently, some of my figures on the report are estimates. There are more than 100 Negro students in our senior high school at the present time. Its effect upon the scholastic achievement of the school is noticeable. We have recently organized certain classes for academically talented students and also, in the English department, classes of an ungraded nature for students of glaring academic debilities. It is readily observable that the superior student group has few Negroes but the ungraded English classes are largely Negro.

Gradually the Negro students have been integrated into the social life of the school. They attend the parties, mixers, dances, and all other such activities. This has not been without incident nor has it met with complete acceptance on the part of the community. Students themselves handle it best and were responsible for the initiation of these practices.

When we established a cafeteria in the high school about 10 years ago there were some who insisted that we would have race riots and all sorts of trouble if we did not establish separate dining rooms for Negro students. We watched the situation carefully the year this practice began and had the police department alerted. There were no untoward incidents although there was noticeable tension for a time. We have for many years had some Negro janitors in the high school. They have been most helpful. At the start of the integrated lunchroom there was a row of tables unofficially designated for the Negro students and for a few months they ate at separate tables. Gradually this practice has been changed until now there is almost complete and unnoticed integration of the lunchroom.

There are many administrative problems connected with integration. The proper use of buildings and integration of teachers are possibly the most perplexing. Our school system has been geared to separate schools for more than 100 years. Consequently, the Negro schools are poorly located to lend themselves to the best usage in an integrated system. To date, we have not integrated teachers. The Leavenworth community is steeped in tradition. There are many who take pride in the fact that it is an old proslavery town and there are deep-seated feelings which are expressed in such terms as "nothing against the Negro but we want to keep him in his place."

I would say that we have had reasonable success in the school integration program largely because we have moved very slowly. Negroes are not employed except in certain positions throughout the business and industrial life of the community. People are quite concerned about the property values. Many real estate men and prospective homeowners have questioned me about the school policy and have made suggestions indicating a great concern about school integration and its effect upon property values.

The Leavenworth city schools are now operating with two Negro staffed schools. These are fine buildings. Attendance at these schools by Negroes is optional for those who live outside the attendance district of the school. Forty-four percent of the parents whose children attend the Leavenworth public schools work for the Government. This is primarily due to the three large Government institutions adjacent to the city namely, the Federal penitentiary, the Veterans' Administration Facility, and Fort Leavenworth with the Staff and Command College of the U.S. Army. Those of us in the school system and those who serve on the board of education often are made to feel tension in maintaining peaceful acceptance of our integration efforts. Our observation is that many of the civil-service employees and Army personnel who transfer to our community are from the South. We have often stated that an amazing number of southerners seem to be in the Army and in civil-service work.

At the present time Leavenworth is a community of about 22,000 persons of which a little over 3,000 or about 15 percent are Negro. Greater Leavenworth which would include Fort Leavenworth and the suburban developments adjacent to the city along with the residential property on the Veterans Administration Facility and the Department of Justice property make up a total population of approximately 40,000. This does not count the 7,000 inmates incarcerated in

the 4 penitentiaries adjacent to the city of Leavenworth. About one-third of the city of Leavenworth are Roman Catholic and approximately one-fourth of all children attend parochial schools. There is a large Jewish congregation in the community. By custom there is usually one Jewish member on the school board.

In 1954 the board of education adopted a policy for gradually integrating pupils. In the fall of 1954, children of the kindergarten and first-grade level were permitted to attend school in the district of residence regardless of race. This has been moved up one grade per year so that it has progressed to the fifth grade for the current year. This process has resulted in a few Negro children attending the white staffed schools, but no white children have chosen to attend the Negro staffed schools. As an emergency situation a modicum of integration took place in our junior high school at the eighth-grade level in the present school year. One of our colored schools became so crowded that we did not have room for the eighth grade so I contacted all the parents and gave them the choice of sending their children to the other Negro school or to the junior high school. This resulted in eight Negro children enrolling at the junior high school which had heretofore been exclusively for white children. We were successful in this pretty largely because the press did not publicize it. We did it quietly and while there was some objection and a little consternation at first, there have been no serious incidents.

In the fall of 1959 the student body will be completely integrated in all schools of Leavenworth. That is, there will be no racial restrictions. After our building expansion program we will now use one building for 7th grade children citywide which will be completely integrated. Also we will maintain a 2-year junior high school for 8th and 9th graders which will be completely integrated. At the senior high school grades 10th to 12th will continue as has been the practice as a completely integrated school.

At the elementary school level we have talked of the integration of teachers but the board has not yet given approval. I enclose one of my recent bulletins to the board which discusses the subject (portions reprinted below). It appears that we will probably operate as heretofore with Negro faculties in two schools. There will be only token integration of Negro teachers into the heretofore white-staffed schools, if it is done at all. Children will be permitted to attend the school nearest their residence except that children will be permitted to transfer for racial reasons if they so desire. In other words a white child will not be required to attend a Negro staffed school simply because he resides in the attendance district of such school. Negro pupils will not be required to attend white staffed schools but may transfer to a Negro staffed school. This practice has resulted in a small number of Negro children attending our white staffed schools. It is apparent that the enrollments of our colored schools will shrink as time goes on. Eventually there will have to be considerable integration of teachers if the present policy of the board is maintained and it continues to be completely fair in its employment practices as it affects Negro teachers.

19 FEBRUARY 1959.

TO: MEMBERS OF THE BOARD OF EDUCATION AND ADMINISTRATIVE COMMITTEE.  
FROM: HUGH C. BRYAN.

After all the discussion and enlightening suggestions made at our recent meeting, it is still unclear to me how to reorganize the Leavenworth School System efficiently, effectively, and acceptably next year. I am anxious to get the matter settled so we can get on with much important business that must be handled. There are several unfortunate considerations and as we get to thinking through the overall problems we find that personnel, organization, integration, school districting and use of facilities are all so interrelated that we cannot solve problems piecemeal but must come up with a workable overall plan. \* \* \*

\* \* \* I wish it were possible for us to unanimously and wholeheartedly agree upon a plan to further implement integration. This seeming unlikely, I foresee a compromise plan leaning toward a "go slow" policy. If I were to forecast that plan I would say that it might look something like this:

1. Continue voluntary integration by permitting Negro students to attend white-staffed schools in the districts where they reside in all grades kindergarten through six.

2. Leave the Lincoln and Sumner School Negro staffed with permissive attendance of Negro pupils in those areas. By implication or announcement state

that all pupils in the area regardless of race may attend those schools yet knowing in advance that white students will probably not be sent to those schools.

3. Bring about full pupil integration grade 7 through 12 which is an addition of the seventh and eighth grade to what has been formerly done.

4. Integrate Negro teachers on a limited or careful basis.

We cannot help asking ourselves these questions. Is this the best way; are we conscientiously making the most efficient use of our teachers in our classrooms? Is the public willing to make sacrifices in expenditures and the crowding of pupils to perpetuate a degree of separation? Will this satisfy or appease the NAACP? If legal scrutiny were to be turned on us, can we justify our position and show that we are moving toward integration fast enough?

Mr. Tiffany, will you introduce the next participant?

Mr. TIFFANY. The next participant is Mr. Claude C. Harris, the assistant superintendent of schools of Muskogee, Okla., who appears for Harry D. Simmons, the superintendent of that city.

Chairman HANNAH. Dr. Harris of Muskogee, Okla., will you take over, sir.

#### STATEMENT OF CLAUDE C. HARRIS, ASSISTANT SUPERINTENDENT OF SCHOOLS, MUSKOGEE, OKLA.

Mr. HARRIS. Mr. Chairman and members of the conference, I am happy to present the Muskogee plan for the desegregation of the schools in Muskogee, Okla. I might say in the beginning that Muskogee, as age goes for Oklahoma, is one of the older cities in Oklahoma. The Negro was brought into our county by the Creek Indians in their removal from the Southeast. They remained, of course, as freedmen after the Civil War.

Muskogee has about 21 or 22 percent index factor of the Negro population to the white population. We currently have enrolled approximately 1,800 Negro children in Muskogee schools; about 7,000 white children in the Muskogee schools. We have 20 schools in the system, 2 of which are high schools, 1 being an all-Negro high school, and the other is a white high school with limited integration.

The pattern was not changed after the Supreme Court's ruling. Before this time the white children from all over the city came to the all-white high school at that time. The Negro children are largely congregated west of the MK&T Railroad tracks in our city, and they have, of course, continued both their Negro schools.

We have five members on our board of education, one elected from each of the four wards and one member at large. These are all-white members, though we have had a Negro run for a place on the board of education, but the democratic procedures of election caused him to be unable to make the board position.

Muskogee went about its plan for compliance with the Supreme Court's decision in a rather quiet way. In the first place, we think very good relationship has been established in the community, both white and Negro, for the superintendent and the board of education's

concern and interest in building good schools for the Negro as well as for the white. That program began in about 1949, in which all the Negro school buildings were completely refurbished, remodeled, renovated; a very fine, beautiful, new high school was erected at the site or near the site of the old high school, and for this reason the Negro population seemed to be quite pleased with their school situation.

I think there were two things maybe that had to do with this beginning program. One is the board of education and superintendent's philosophy, and I might say one of them is Biblical, that we love our Lord, our God, with all of our strength, all of our mind, and all of our soul, and to do this we are to have regard for our neighbor, himself, his personality, and his opportunity.

We feel to love is to respect our neighbor's opinions and decisions, his desires for himself and his family, and his dignity and worth as an individual, and the second philosophy we had was that the laws of the land and the decisions of the Court should be obeyed or respected.

The plans, of course, as I have indicated already, were for good buildings.

In August 1955, after Mr. Simmons, the superintendent of schools, had discussed it at length with various members of the staff, various citizens' groups, quietly, and finally with the board of education, and after much deliberation they set up a plan by which youngsters could transfer from the school that they had previously been attending into a school of choice if it should be more convenient. There was a 10-day period, August 15 to August 25, a period open when application for transfer could be made. The child or the student and the parent were to come to the board of education office and there make their application and state reasons for transfer.

Twenty-three children with their parents appeared at the board of education and asked that their children—these were all Negro parents and children—be transferred to a white school more convenient in location than they were now attending.

I say 23. Actually 22 of these families had such a request. One of these families, one of the 23, was denied because the young lady lived within 2 blocks or less of the Negro junior high school.

Newspapers cooperated beautifully in this program. They carried announcements and stories but gave no particular glamorization to them or neither did they criticize the action of the school administration.

The Muskogee schools, we might say, are desegregated. They are for all intents and purposes, since to this time we have not required parents at all to come to the office and ask for transfers. The pupils merely present themselves to the school that they would like to attend, and if this Negro child is within the boundary area of the white

school, and it is closer to him by the regular distance that he would have to travel than it is to the Negro school, he or she is permitted to attend the white school.

The Muskogee junior college was desegregated at the same time. In fact, there was a Negro junior college in connection with our high school, and in the school year of 1955 and 1956 they abandoned the junior college and went over with the white, and that percentage attendance of the Negro people in our community at the junior high school is much better.

I think that runs somewhere around 10 or 12 percent Negro in the junior college.

We feel that every Negro and white pupil is going to the school of his family's choice insofar as racial origin is a factor. A leading factor, as I have indicated already, is the fact that if a Negro child should want to go to a white school, and he lived right in the shadow of the Negro school, he would possibly be denied due to the fact that many of our schools are quite crowded and the board of education feels that they have to keep the enrollments under control as much as they can.

Teacher conferences, workshops, meetings of all types, have been completely desegregated. The Muskogee Council PTA unit has desegregated, and the Negro PTA are affiliated with them, and the council changes its meeting place from month to month and includes the Negro schools.

As far as I am aware, there have been no particular incidents in any way whatsoever. You might say the question of has the public accepted integration—I might put it this way, that more assented to it than they have accepted it. They have gone along feeling that we have done a rather good job, that the school has done its job or met its responsibility both to the law of the land and the Supreme Court's decision.

Each pupil is accepted in the school on the basis of his own merits, of being able to get along and to do his work.

In our white high school there are four Negro children attending. One of these Negro children is about sixth or seventh in the honor selection of honor societies. These Negro children who are enrolled in the high school and junior high school attend the mixers, the proms, and last year we had them in the graduating class. They went through the graduating line the same as anyone else did, there being no favors shown.

We find that the community is accepting it to a degree this year, and we have had some admissions into both Cubs and Brownie troops where previously they have been all white.

Our plan was not a community wide plan. There were not a lot of meetings held because we were somewhat afraid that they could get out of control because emotions being as they are and our community being one of the older communities with, you might say, very distinct southern background, we felt it would not be wise to give too much opportunity for those to sound off that would maybe like to have such opportunity. In conclusion, I will answer the best I can any queries that you might have.

Chairman HANNAH. You said, I think, that you had four Negro students in the high school that was formerly an all-white high school. How many Negroes do you have in total that are now in schools that were formerly all-white?

Mr. HARRIS. In the high school?

Chairman HANNAH. No, altogether.

Mr. HARRIS. We have now in the white high school approximately 1,500, and the Negro high school, approximately 560. In the white high school only 4 are Negroes.

Chairman HANNAH. What about the grade schools?

Mr. HARRIS. The grade schools, there is 1 elementary school that has 3. Another has—2, rather. One has 10 at the present time; 1 has 1; 1 of the junior high schools has 5. In other words, there are 32 Negro children in our white schools. Twenty-eight of those are enrolled either in elementary or junior high schools, and 4 in the high school.

Chairman HANNAH. You have already commented that some of the Negroes have been very good students, and I take it that there are not enough Negroes in the schools so that you feel that they would in any way adversely affect the academic standards.

Mr. HARRIS. To say the minority is so great that they are not affected. Neither has the cost factor been a change. We probably are still providing the same schools that we provided before, and enrollment is possibly at the maximum that we can very well provide for.

Chairman HANNAH. I take it there are no Negro teachers in the mixed schools.

Mr. HARRIS. There are no Negro teachers. The majority of Negro children in the schools have been so small that there has been no particular request. We did not have to dismiss any Negro teachers. In fact, our enrollment increased in the Negro schools, and we have employed some of the teachers that were affected by desegregation of the other communities.

Chairman HANNAH. There are no white teachers in the Negro schools?

Mr. HARRIS. No; no white teachers in the Negro schools.



Chairman HANNAH. Some way or other I got the impression—I think something I read—that in the State of Oklahoma as a whole there had been a considerable number of Negro teachers that had been disadvantaged by the desegregation.

Mr. HARRIS. There has been a considerable number of them disadvantaged. As far as I know, there have been only some three or four Negro teachers hired to teach in white schools in Oklahoma.

Chairman HANNAH. Do you have many Indians in Muskogee?

Mr. HARRIS. Yes; we do, a considerable number of Indians. The status of the Indian has never been questioned in Muskogee, being the capital of the Creek Nation, one of the five civilized tribes. We have possibly, I would say, 350 or 400 Indians with quarter blood or more in Muskogee.

Chairman HANNAH. They have always been accepted in the white schools?

Mr. HARRIS. They have always been accepted in the white schools. We have Indian teachers in our white schools.

Chairman HANNAH. Dean Storey, do you have any questions?

Vice Chairman STOREY. Mr. Harris, I believe you were born in the old Indian territory.

Mr. HARRIS. I surely was.

Vice Chairman STOREY. Which is not a part of Oklahoma since it became a State. Your education was in Oklahoma?

Mr. HARRIS. That's right.

Vice Chairman STOREY. And all of your professional activities have been in Oklahoma?

Mr. HARRIS. That's right.

Vice Chairman STOREY. You have resided all of your life there.

Mr. HARRIS. I sure have.

Vice Chairman STOREY. Are you familiar with the general situation over Oklahoma in other schools with reference to this problem?

Mr. HARRIS. Yes; I am.

Vice Chairman STOREY. What is the status on a statewide basis of schools in other areas of the State? Are they desegregated or not?

Mr. HARRIS. They are moving, I would say, very well toward desegregation. We have one or two counties where there has been considerable resistance in the State, but by and large, the people of Oklahoma are attempting to comply as fast as they feel that they possibly can at all with the Court's decision.

So far as I know, there has been this past year only one or two schools in the State where Negro children were refused admission, and I think the local courts have corrected those, and they will be forced to admit them next.

Vice Chairman STOREY. Then would you say that practically all of them are desegregated in Oklahoma?

Mr. HARRIS. Yes, sir.

Vice Chairman STOREY. Are you familiar with the financial status of the system before and after the so-called desegregation?

Mr. HARRIS. Yes, sir; I am. Before desegregation there was a special school, what we called a separate school fee, and this was used to finance—

Vice Chairman STOREY. Throughout the State?

Mr. HARRIS. Yes; in the counties that had Negro population. In 1955 I believe it was we had a constitutional amendment of which the people of the State voted to do away with the plan of financing and put the financing program all within one budget. In other words, there used to be what we called a separate school budget. Today statisticwise and financewise they are all a part of one budget.

Vice Chairman STOREY. Then the special tax that you had indicated has been abolished since 1955.

Mr. HARRIS. Yes.

Vice Chairman STOREY. Through a constitutional amendment.

Mr. HARRIS. That's right.

Vice Chairman STOREY. Do you have any figures on what is the sum total of saving per annum, anything of that type?

Mr. HARRIS. It has been very slight.

Vice Chairman STOREY. That is overall.

Mr. HARRIS. Overall. In our own city there is no saving at all.

Vice Chairman STOREY. That is all, sir.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. Nothing.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Mr. Harris, do you find that in Oklahoma generally the picture has been peaceful, a picture of peaceful integration rather than violence?

Mr. HARRIS. Yes, sir. There has been no marked violence in our State.

Commissioner HESBURGH. What do you think has been responsible for this peaceful transition?

Mr. HARRIS. Oh, I feel that the State department of education took a very sane attitude toward it. I feel that the State school board organization faced the problem and felt that it is something that we would do. I feel that our press throughout the State has been very reasonable in this period of transition and very helpful, and I feel that we do have—of course Oklahoma is more or less a cosmopolitan State. We have people coming in from all sections of the country, and I think kind of a balanced population there has had a lot to do with it.

Commissioner HESBURGH. Am I right in assuming that the real basis for what segregation exists in the school system now is pretty much residential?

Mr. HARRIS. Yes; that's right.

Commissioner HESBURGH. This in turn, I suppose, could be reduced to the fact that the per capita income to the nonwhite part of your population is much lower, perhaps only a fourth of the per capita income of others.

Mr. HARRIS. That is right. Since the census was taken in 1950 I think that is materially improved for the Negro because some of the larger industries that have moved into Muskogee since that time make provision for employing the Negro in their industry, and so I feel he is able to make a better showing in the 1960 census.

Commissioner HESBURGH. What I am moving up towards here is that really you can't consider the school problem as an isolated problem related to income—it is related to housing, it is related to residential areas, it is related to so many other aspects that it becomes a great problem if it is merely looked upon as a thing in itself.

Mr. HARRIS. That's right.

Commissioner HESBURGH. And certainly would you say that the school population generally—and I am thinking here of the faculties, the school boards, and the people responsible for the total educational picture in Oklahoma—have given leadership in this area perhaps far beyond other agencies?

Mr. HARRIS. I feel that the elementary principal association, all of our State groups, we invite the Negroes into our meetings, they do attend our meetings and become a part of our association meetings, and therefore they are at least attending and are exerting leadership, and the white groups, I feel, are going quite far in their attempt to make this a peaceful move transition.

Commissioner HESBURGH. One last question now. In view of all of these things would you say that your own personal attitude to what you have seen is hopeful to the future for progress, to get beyond mere token to something more substantial?

Mr. HARRIS. I would say it is. Of course the thing we in administration worry about first is if some type of leadership should come into our communities, and we feel like there is a possibility of always being aroused that far within Oklahoma there. I think it is moving forward and will continue to move forward. I don't see any particular trouble on the horizon at all.

Commissioner HESBURGH. Thank you.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. Mr. Harris, could you approximate the percentage of Negroes in Oklahoma to whites?

Mr. HARRIS. The Negroes in Oklahoma to whites? I think that is given statistically here as somewhere around 8 or 9 percent. I am not sure. We have a number of counties in Oklahoma that have no Negroes at all. Then we have a number that are rather heavily Negro populated.

Commissioner BATTLE. Could you approximate the Indian population, the percentage of Indian to white?

Mr. HARRIS. Oklahoma has about 250,000 Indians, and we have a census of about a little over 2 million.

Commissioner BATTLE. The data we have on Muskogee seems to be that 20 percent are nonwhite, and that of course includes Indians, but what part of that percentage would be Indians and what part Negroes in your judgment?

Mr. HARRIS. I am in charge of the statistics in the schools, and the Negro enrollment runs about between 20 and 21 percent of the total population. That was when we separated them into the Negro and white schools. That, of course, is not done today. The Indian makes up about 300 out of about 9,800 enrollment.

Commissioner BATTLE. Thank you.

Chairman HANNAH. One more question. Has the progress in the desegregation of your schools been faster than the desegregation of the other public areas, parks, eating places, and so forth, in Muskogee?

Mr. HARRIS. Eating places have not desegregated. Parks are tentatively so. In other words, the Negro has the opportunity of using the parks. Transportation has been desegregated, but eating places, hotels, have not.

Chairman HANNAH. Are there questions that the participants would like to ask Mr. Harris? Any questions from around the U-shaped table?

Apparently not. Thank you very much, Mr. Harris.

WRITTEN STATEMENT OF HARRY D. SIMMONS, SUPERINTENDENT OF MUSKOGEE, OKLA., PUBLIC SCHOOLS

PLAN USED TO BRING ABOUT DESEGREGATION IN THE MUSKOGEE PUBLIC SCHOOLS

Independent District No. 20, Muskogee County :

Population of school district (approximately) -----	50, 000
Teachers -----	350
White teachers -----	279
Negro teachers -----	71
Public school enrollment -----	9, 900
White pupils -----	8, 029
Negro pupils -----	1, 871

A planned program for the improvement of the educational facilities for the Negro boys and girls in our school district was instituted by the local board of education in the school year 1948-49. With the assistance of the county commissioners and other school officials of the county, an educational campaign to put over a bond election for buildings for the Negro schools was carried out thoroughly throughout the county. After several weeks of this countywide educational campaign to show the need of such buildings, the county commissioners called a countywide election for a bond issue in the amount of \$1,600,000 to

improve old buildings for the Negroes and to build new buildings. This bond election was carried by a ratio of 6 to 1 in favor of the proposal.

During the educational program for the bond election, Negro and white parents met together and discussed means of promoting the election. This type of meeting resulted in much harmony between the two races. After the bond election was over and the period of planning for the building program began, similar types of meetings between the races were frequently held and the discussions of the needs for the school buildings included the Negro citizens. At these meetings the board of education, architects, engineers, and other interested citizens offered their services in arriving at the types and kinds of buildings desired by the Negro citizens. These meetings between the two groups continued the good race relationships that already existed.

From the countywide bond issue sufficient funds were allocated to the local school district to repair, remodel, and improve all existing Negro school buildings in the district, plus approximately \$850,000 to build a new, modern senior high school. This building, begun in the summer of 1951 and completed in the fall of 1953, was planned to accommodate approximately 650 pupils. Today, it has an enrollment of about 600 pupils, grades 9 to 12. All phases of this building, architecture, equipment, furniture, laboratories, gymnasium, auditorium, cafeteria, etc., were of the best quality and of the most modern type. Many of these items are far superior to the white senior high school.

As you can see, these improvements were made sometime before the Supreme Court made its decision in 1954 with reference to desegregation in the public schools of the United States. It goes without saying that these improvements were all accepted with the deepest appreciation by our Negro citizens. In fact, many of them said it was the completion of a dream they thought would never come true. Practically no improvements of this nature had been made to the Negro schools in our community and our county for some 30 to 35 years. During the period that all this improvement to the school plant was being carried on, all Negro teachers' salaries were put on the same basis as white teachers. All teachers, Negro and white, had begun to upgrade themselves from the standpoint of college preparation and during the early part of the 1950's, all teachers, both Negro and white, reached a point where none had fewer than 4 years of college training, with either a B.S. or B.A. degree. Today more than 50 percent of our teachers hold the master's degree.

The Negro pupils are, and have been for several years, offered the same subjects throughout the elementary school and high school, including a large vocational program in senior high school, as are provided for the white children. In addition to a full program of academic subjects, barbering, shoe repairing, cosmetology, auto mechanics, shop work, including furniture making, are offered. The senior high school is fully accredited by the North Central Association of Secondary Schools and Colleges. A strong athletic program in football, basketball and track is carried on; splendid music programs, both vocal and instrumental, are part of the curriculum from the first through the 12th grades.

I mention the above facts to bring out the point that prior to the Supreme Court decision, the Negro citizens had decided that they had been treated very fairly in Muskogee and they were confident that this treatment would be carried on in the future. Therefore, when it came to the time of making a decision with reference to desegregation of our schools, all of our citizens of both races had pretty well decided what the outcome of desegregation would be in our city.

The first resolution by the board of education concerning desegregation was one that completely desegregated our municipal junior colleges, one for the white students housed at Central High School and one for the Negro students at Manual Training High School. This was the first announcement that came out in the newspapers and it seemed to prepare the way in the minds of the people for the things which were to come in the public schools of our community with reference to this problem of desegregation.

#### CONCRETE PLAN TO MEET THE REORGANIZATION PROGRAM

Below is the first statement of the board of education to the parents of our community with reference to desegregation of the public schools below the junior college level. This statement and an application for transfer were made available to every parent, Negro and white in our school district.

"The board of education, in a special meeting August 9, 1955, called to consider the problems of reorganization in the Muskogee public schools, adopted the following policy:

"In order to meet, in an orderly manner, some of the problems of reorganization of our schools and prevent undue overcrowding of some classrooms, the board of education is seeking the cooperation of the parents in this effort. Therefore, parents who desire to have their children transferred to a building other than the one they attended last year (promotions to other buildings and changes of residence excepted) are asked to make application for transfers through the Office of the Superintendent of Schools, 201 North 15th Street, between the dates of August 15 and 25, 1955. It will be necessary for parents to appear in person to make these applications for transfers.

"All students who seek entrance to the Muskogee Junior College and are prepared to do college work will be permitted to enroll at the beginning of the fall term. The branch of the Muskogee Junior College which has been held at the Manual Training High School building will be continued if the enrollment is sufficient."

"Unanimously adopted by the board of education, city of Muskogee, this 9th day of August 1955.

"(S) RALPH I. BATES, *President.*  
"E. D. CAVE, *Clerk.*"

After this information went out, parents of 23 children, all Negroes, came to the office of the superintendent of schools and made personal application for their children to transfer to white schools. Of the 23 applications, 22 of them were granted immediately by the board of education. The transfer application of one junior high school girl was denied by the board of education because she lived less than two blocks from the Negro junior high school building and should she have been transferred to the white junior high school of her choice, she would have had to walk over a mile to school. The decision of the board to deny the transfer brought no further difficulty.

From these first brief announcements and the acceptance by the board of education of these Negro children to transfer to white schools came indications from our people that all of them were ready and prepared to obey the ruling of the U.S. Supreme Court.

The entire program of desegregation of the public schools of Muskogee was handled through the office of the superintendent of schools, which included his staff and the principals of all the schools. The permission for transfer was explained to all of them and each one accepted the decision of the board of education in the spirit of its intention and helped to carry out the plan quietly, kindly, and firmly. All of the activities were accepted with a minimum of publicity and fanfare. The local newspapers cooperated completely in the program and no glaring headlines were presented to the people; no workshops on desegregation of any kind by professional people or laymen were held; no official meetings were called to discuss desegregation; in fact, the entire community seemed to accept the inevitable, once complete desegregation was ordered throughout the public schools of our city.

Due to the wishes and desires of the Negro parents, Negro children, and Negro teachers, approximately 1.25 percent of the total enrollment of our Negro students sought enrollment in the white schools. Since that time this enrollment has increased to approximately 1.5 percent of the total Negro school population.

Also at the beginning of the fall of 1955, a complete integration of our principals' meetings and our professional faculty meetings was ordered by the board of education.

Negro residential segregation in Muskogee is such that it is geographically more convenient for Negro children to attend their own schools. The Missouri, Kansas & Texas Railroad runs almost due north and south through our city, dividing the population into proportion of approximately three-fifths on the east side to two-fifths on the west side of town. The entire population of the city is approximately 80 percent white and 20 percent Negro. There are not more than a dozen or so Negro families that live east of the railroad. Over the years the Negroes have tended to settle on the west side of the railroad, mostly in the extreme north section of the city and in the extreme south central section. Naturally in these areas are located the schools for Negro children. One of the elementary schools for white children located on the fringe of this area of Negro population has at the present time an enrollment of 20 Negro pupils; another has 1 child enrolled; and another, 2 children. The west-side junior high school, originally for white children, is located very conveniently for many Negro children of junior high school level; however, these Negro children, by choices of their own, pass nearby this junior high school and go on to their own junior

high school which is several blocks farther away. Only five Negro pupils are at present attending the West Junior High School.

There is no effort on the part of the board of education to bring about segregation or desegregation by any type of school zoning program.

The desire of the Negro children in Muskogee to attend their own schools appears to be very definite. The few Negro children who are in the white schools seemed to have been encouraged to attend the white school by their parents or other persons. As soon as the board of education ordered complete desegregation of the public schools, many students were encouraged to enroll in the white schools but the fact that only about 2 dozen children did so shows that such encouragement was generally ignored.

The Negro children who attend the white schools are accepted just as any other pupils. If they are qualified and can make any type of extracurricular school activities such as orchestra, band, chorus, athletic teams, etc., they are admitted. This past year out of an enrollment of 4 Negro children at Central High School, 1 Negro girl ranked seventh out of 40 who made the national honor society and she participated in all the activities of the society. Her parents and a few friends attended the reception following the initiation ceremonies.

To sum up the results of the desegregation program in the Muskogee Public Schools, I believe the following items will be of some help:

1. At the very beginning of the desegregation period, splendid race relationships existed between the two races. This same fact is definitely true today.
2. The splendid condition of the school plant at the time of this decision was accepted by the Negro citizens not as a ruse to obstruct desegregation but as a response to the needs of their children.
3. The outstanding preparation of all Negro teachers in our school system was known to the Negro citizens of our community.
4. The desire on the part of the Negro parents to have their children attend school where they could assume places of leadership and where their children could be under teachers that they thought could better understand the needs of their children played an important role when these decisions were made.
5. The Negro teachers themselves, with their splendid attitude toward the problems of desegregation as they affect both the Negro pupils and their parents, acted very professionally when spoken to about desegregation as it concerned the welfare of Negro children.
6. The last, but not least, and many think it possibly the most important, is the fact that the Negro children themselves showed very definitely that they preferred to attend the schools of their own race.

I have an announcement or two to make, and then I think we will take a 5-minute break.

First of all, I should like to introduce Mr. Ralph Odum, the assistant attorney general for Florida, who is here representing the superintendent of schools of Florida at the end of the table.

We will take a 5-minute break, and then we will have two more presentations this morning, one by Mr. Wadzeck, superintendent of schools at San Angelo, Tex., and one by Dr. Hansen, superintendent of schools of the District of Columbia.

Do you have further announcements before we break?

Let us return here at 11:00 o'clock. That gives us 6 minutes.

(Short recess.)

Chairman HANNAH. Ladies and gentlemen, may we take our places.

We will now resume our session. Mr. Tiffany, will you present the next participant?

Mr. TIFFANY. Mr. Harold Bruce Wadzeck, who is superintendent of schools, San Angelo, Tex. Mr. Wadzeck.

Chairman HANNAH. Take over.

**STATEMENT OF G. B. WADZECK, SUPERINTENDENT OF SCHOOLS,  
SAN ANGELO, TEX.**

Mr. WADZECK. Mr. Chairman, friends of education, I would like to make this little statement in the beginning if there is no objection from the Commission, on the general statement that I prepared, I am just going to read some extracts from that, and if anyone feels that there is anything that would be helpful or of information to them and would like a copy, I have about 10 copies here that they can have, and if anyone does not get one and wants one, I will be glad to mail it to them.

To move into our presentation, after the Supreme Court ruling in 1954, we did not feel at that time that it had sufficiently cleared the road over our State laws to bring about integration of our schools. However, we did start a study at that time of the problem, and I would like to present our findings at that time.

For a number of years, San Angelo has had two minority groups; the Negro population has averaged between 8 and 10 percent of the total population, the Latin-Americans have averaged between 12 and 15 percent of the total population, and the Anglo race has averaged approximately 75 percent of the total population.

The school district was composed of 20 school divisions which established attendance areas; 2 elementary schools and 1 combination junior-senior high school were totally Negro; 2 elementary schools were 100 percent Latin-American; and 1 elementary school was 100 percent Anglo, with a high school, 2 junior high schools, and 11 elementary schools mixed Latin-American and Anglo. All Negro scholastics resided within the attendance areas of their 3 schools, with the exception of 33 elementary children and 11 secondary children.

The policy of the board of education was to adhere very strictly to the established policy of attending school in the district where a student resided. The one exception to this rule would allow a child to transfer from one district to another, if he or she was moving from a crowded to a less crowded condition. A few other exceptions could be made to this policy, if the superintendent of schools deemed it to be to the best interest of the child involved.

In analyzing the Supreme Court ruling, we recognized the basic principle of providing equal opportunity for all people. In approaching the problem, we were also conscious not to create a special privilege group by granting privileges to Negro or white students which could not be granted to the other. We also took into consideration that the Supreme Court was conscious of the need for fully utilizing all present buildings.



In looking at the program, we could see discrepancies. The 33 Negro children residing out of the attendance areas had to travel a greater distance to school than other children. The Negro high school facilities were better than the white high school, but the program was inferior in one category—it was too small in balanced teacher-pupil ratio to offer a sufficiently broad curriculum.

The chairman of the board of education called a special meeting July 5, 1955, and instructed the administration to develop a plan of total integration to be started in September 1955, and to be completed in not more than 3 years. The administration recommended that we not deal with organizations in developing the plan, but rather with individual citizens. It was suggested that the board select some 20 outstanding Negro citizens to meet with them at an early August meeting to hear the recommendations.

The meeting was held the first week of August with the following recommendations:

That all attendance area lines remain as drawn during the previous school year, with one exception; one small elementary school very near the business section should be converted from a primary school to a school of special education for handicapped children.

That all policies previously listed on transferring from districts be continued. This recommendation would have forced the 33 elementary children into all-white schools.

That the top three grades of the Negro high school be discontinued, since this high school was below standard in comparison with the white high school, and that all children in the top three grades be placed in the same high school.

That, since all junior high school facilities were near capacity, the Negro junior high school be continued to accommodate the two elementary schools which were predominantly Negro, and

That two of the elementary grades from one of the elementary schools be moved to this junior high to properly utilize facilities.

In the meeting with the Negro citizens group—incidentally, this was by invitation; we had no petitions or anything urging the board to move on integration.

In the meeting with the Negro citizens group, the board talked with only two of the Negro people at one time. A few were mildly concerned over integration and did have some doubts as to the feasibility of integrating the schools under any conditions. All persons interviewed were extremely concerned over forcing the few scattered Negro children to attend predominantly white elementary schools and did ask the board of education to consider permissive transfers if requested by the parents.

As a result of their request, the board established an additional part to our transfer policy which stated that any child could request

and receive transfer from a school where his or her race was not a majority to a school where his or her race was a majority. They were each cautioned that we would not allow privileges for Negro children which could not apply to all children. As a result of this policy, we had about 50 percent of our Negro elementary children who resided outside the original Negro elementary districts to request transfers back to the elementary schools which were predominantly Negro.

The superintendent of schools recommended to the board that the principal of the Negro high school be transferred to the white high school, on a part-time basis, as a counselor for the Negro children until they were acclimated to white teachers, counselors, and administrators.

The next step in our program was for the superintendent of schools, the Negro high school principal, and the white high school principal to meet with the Negro parents and students who would attend the combined high school in September. It was explained to the parents and students that we were not creating a special privilege group and that they must work on the same standards and under the same policies as all other students.

To assure them of every opportunity, their former principal was to be available for half of each day and they did have permission to go to him any time they felt mistreated by students or teachers; however, we did instruct this group that we would hear no complaint which was more than 24 hours old. The Negro principal would check the complaint and if he considered the complaint justified, he would either see that it was worked out or call it to the attention of the Superintendent immediately.

Approximately 40 percent of the Negro high school students objected to being transferred to the other high school.

After this meeting, preregistering was held where all Negro students, with the principal as counselor, were enrolled in the one central high school.

After integration became effective September 1955, we received very few complaints from parents of students. The complaints were about evenly divided between races, with possibly a few more complaints from Latin-American parents than any other racial group.

We received no nasty letters or complimentary letters or telephone calls from anyone in the community. We did receive such letters from Chicago, Philadelphia, et cetera, et cetera.

The greatest adjustment seemed to be with the Negro student. At the end of the first 6 weeks, a sizable committee of Negro students called on the Negro counselor and asked if they could petition the board to reopen the Negro high school. They were told that this would not be done for at least a year but that if, at the end of the year, they wanted to present such a petition, they might do so.

At the end of the year they were happy, and no petition was presented.

We believe this was brought on by their first report cards. At the end of the first 6 weeks, all grades given to Negro students represented 8 A's, 13 B's, 37 C's, 13 D's, 20 F's, and 9 incomplete. This average was approximately 15 points lower than the grades the same students had made the previous year in the all-Negro high school. Actually, about 44 percent was below what we considered standard grades for their ability.

When this report was made to the board of education, the board felt that we should provide tutors for the Negro students. To do this would have been giving special privileges to one group. It was recommended by the administration that we offer free tutoring at nights on a permissive basis for all high school students. As a result, more white students reported for extra help than did Negro students, on a percentage basis; however, we do feel that this step aided the transition because the grades started pulling up immediately.

I think we will skip over from there to another thing that probably helped us some in our program.

In 1954, the San Angelo schools started a curriculum development project which provided three levels of instruction in basic subject areas of English, math, science, and foreign language. This program is designed to allow each child to develop his or her abilities to their maximum. This curriculum has been an excellent instrument to provide for some of our slower Negro students but certainly no more so than to provide for our slower students of other races.

We are now in our fourth year of integration. We have had no serious problems and our students seem to be well adjusted. We have made no effort to force social acceptance. We have attempted to teach our students that you do not legislate social acceptance but such acceptance is earned by conducting yourself properly as a citizen in our great country.

We have several conclusions that we have drawn that may be of some help.

We are more convinced each day that the problem of integration will differ in practically all school districts. We also believe that our problem was more severe than a few but considerably less severe than most schools that have had segregation. By taking action soon after legal barriers were removed, our community did not divide into "pro" and "con" groups. We are sure that this action made our problem less severe.

In this same line of thought, we are definitely of an opinion that the extremist for integration and the extremist for segregation will make no contribution to solving the problem. The problem will be

solved by patience and understanding and a realistic desire to do what is right. It simply must be recognized that this is a very serious and delicate situation and it will be several generations before it is completely solved.

I think I can give you a good example of that. Recently Associated Press carried a series of three articles on our school, very complimentary. We received several hundred inquiries and visitors each week. We received only one mailing that was not complimentary. It came from Louisiana. It was marked on there, wherever my name appeared in the article, that I was a Negro-lover, that I was ruining the white race, and a few other things that were not quite that complimentary. I would say that a man with that much hate, who didn't sign his name—in fact, none of those people do—but a man with that much hate is going to have to be dealt with before schools and school boards and school administrations can handle the problem.

The most serious problem connected with integration seems to be concerned with social mixing of the races. This is especially true of a great majority of the parents in the Southern States. We feel that this must be honestly and properly explained. We are talking about equality of opportunity; we are not talking about social mixing of the races.

All persons involved in planning or administering integration should be very careful not to make the Negro race a special race. They are now considered a minority special race people, with discriminations against their race. They are asking for equality of opportunity. Any privileges granted to this race which are not granted to all races within a school district, any act committed for this race that is not committed for all races will again make them a special race with privileges beyond that of the other citizens.

The Negro race, as a total race, is below average in living standards, moral standards, home environment, desire, and general ability. It is true that many of the Anglo, Latin-American, and other races can drop just as low on the standard as does the Negro race. The statement made above was related to the race as a total race. It is just as impossible to evaluate any other race as a total race and would be just as unfair, as it is to evaluate the Negro race as one unit.

For example, in our school last year our second high girl graduate was a Negro girl. We have any number of our Negro students in our honor societies, very fine students. Disappointingly so, we haven't found as many good athletes as we thought we would, many things of that nature, but what we are talking about, I think, is better explained by our maid who explained to me. She had three children that she had to leave with almost anyone during the day while she did work for us so that my wife could spend more time

with our child, and she pointed out that we had a nice library in our home that her children did not have, and with equal ability those children would not compare favorably.

We believe that our experience justifies a rather broad statement concerning this problem. We sincerely believe that the extremists on both sides of this issue will disgrace our Nation if they are not held in check. We also believe that the Negro race has no more desire of mixing the races than does any other race. Under no condition would 95 percent of the Negro parents allow a few of their children to attend a school which was 98 percent Anglo than would Anglos want to place their children under similar conditions.

Chairman HANNAH. Thank you very much, Mr. Wadzeck. Dean Storey, since Mr. Wadzeck is from your State, I am going to let you begin the questioning.

Vice Chairman STOREY. Mr. Wadzeck, I notice you were educated in Texas, and your professional life has been there. Where were you born? I don't believe it is stated.

Mr. WADZECK. I was born in Rochester, Tex., out in the western part of the State.

Vice Chairman STOREY. San Angelo, your home town, is situated in what we call deep east Texas, isn't it?

Mr. WADZECK. I think southwest Texas.

Vice Chairman STOREY. Just for geographical purposes and for the information of other people here, about how far southwest of the Dallas-Fort Worth area is it and about how far from, say, Austin, the capital?

Mr. WADZECK. It is 212 miles due west of Austin, and of course that is about 225 west and a little southwest of Dallas.

Vice Chairman STOREY. How long have you lived in San Angelo?

Mr. WADZECK. Seven years.

Vice Chairman STOREY. You have been connected with the school system ever since that time?

Mr. WADZECK. Yes, sir.

Vice Chairman STOREY. By way of a general background, you are familiar, I assume, with the school conditions particularly in west Texas and because of your activity in this generally over the State of Texas, are you not?

Mr. WADZECK. I think so.

Vice Chairman STOREY. The heavy concentration of Negro population is over in what we call deep east Texas, is it not?

Mr. WADZECK. That is correct, sir.

Vice Chairman STOREY. And just a few counties, I believe, have a majority of Negro population, is that correct?

Mr. WADZECK. I would say that percentagewise we have a few counties in east Texas that are as heavy in Negro population as you would find anywhere in the South.

Vice Chairman STOREY. Generally in west Texas you have a good many counties where there are no Negro population, do you not?

Mr. WADZECK. That is correct.

Vice Chairman STOREY. Are you familiar with west Texas as a whole as to the number of schools or counties that have met the problem similar to what you have and have what we call integrated schools? Do you have knowledge along that line?

Mr. WADZECK. I am awfully sorry. I don't have. I know the larger schools that have integrated. They are scattered throughout the State.

Vice Chairman STOREY. In west Texas, are you familiar with the larger towns that have—

Mr. WADZECK. Yes, sir.

Vice Chairman STOREY. Just name some of them as a general background.

Mr. WADZECK. The ones that have integrated would be El Paso and San Angelo. I believe Amarillo has a token program starting the first grade and coming up, and possibly some of the others. I don't believe any move has been made in Abilene, Lubbock. I am looking at Lee Wilborn, Dr. Wilborn. He knows a lot more about this than I do.

Vice Chairman STOREY. El Paso is a city of more than a hundred thousand?

Mr. WADZECK. Yes, sir.

Vice Chairman STOREY. It has a great many Latin-American population.

Mr. WADZECK. Yes.

Vice Chairman STOREY. Amarillo is a very large city, too, isn't it? Now over a hundred thousand?

Mr. WADZECK. Chamber of commerce would say so. I doubt if it is quite to that.

Vice Chairman STOREY. What is the approximate population of San Angelo, your city?

Mr. WADZECK. Our chamber of commerce says 70 or 75,000. I would say about 65,000.

Vice Chairman STOREY. From some of the statistics that you have given here, as I understand, you abolished the all-Negro high school.

Mr. WADZECK. That is correct.

Vice Chairman STOREY. And just have one high school now.

Mr. WADZECK. That is correct.

Vice Chairman STOREY. What is the present percentage of the Negro students in the high school as to numbers and percentagewise?

Mr. WADZECK. Well, I don't have it worked out in that manner.

Vice Chairman STOREY. Well, as to numbers.

Mr. WADZECK. In high school we would have about 100 Negro, I would say about 200 Latin-American, and possibly 1,100 Anglo.

Vice Chairman STOREY. I believe you indicated awhile ago that of the Negroes who had been transferred from the all-Negro school to the all-inclusive high school, that the average grade was about 15 percent lower than the average of the all-whites.

Mr. WADZECK. No, sir. I think the comment I made was that the grades dropped the first year approximately 15 points from what they made—

Vice Chairman STOREY. I knew you said 15 percent about something. But the first year of the transfer their grades dropped about 15 percent?

Mr. WADZECK. That's correct.

Vice Chairman STOREY. Since that time has that ratio gone up as compared with their previous grades in other schools?

Mr. WADZECK. Since that time our program has developed more completely on the three levels of instruction, and I hated to pull that out, but it is very difficult. Our students are doing just as well. I would say there is a larger percentage in the third level in proportion to total than the other two races. Peculiar thing, on native ability, Negro students throughout our school system have about eight points higher IQ than Latin-Americans.

Vice Chairman STOREY. By the way, are the other schools in your county integrated?

Mr. WADZECK. Well, we have about 90 percent of the students. We don't have quite all the city. There is another school system in the northern part of the city. About 3 or 4 years before the Supreme Court ruling we cut off a part of their district that was 100 percent Negro.

Vice Chairman STOREY. But you have about 80 percent, I believe you said—

Mr. WADZECK. All students.

Vice Chairman STOREY. All students.

Mr. WADZECK. Yes, sir. I believe that all the rural Negro children come to us. I am not sure of that.

Vice Chairman STOREY. I believe I noticed in some of the biographical data that your school system had done such a good job that it had received a special grant from a very large private foundation. Is that correct, sir?

Mr. WADZECK. Well, a hundred thousand dollars for development.

Vice Chairman STOREY. That is pretty big even out in west Texas, where there is some oil, isn't it?

Mr. WADZECK. It helps.

Vice Chairman STOREY. But it was based on improvements that had been made.

Mr. WADZECK. That's correct, sir.

Vice Chairman STOREY. Do you have any special problems that are left now communitywise on account of this move?

Mr. WADZECK. Actually we have had a problem that we consider an integration problem. I wouldn't want to mislead the Commission. We have had a Negro boy and a white boy having a fight in the school, various little things of that kind, and we don't consider that any different from a Latin-American and a white boy or two white boys. It would be of interest to you that in each case on investigation the white boy was to blame and was punished, and I think in most cases the Negro boy whipped him.

Vice Chairman STOREY. What about the Latin-Americans? The white boys have fights with them, don't they?

Mr. WADZECK. The Latin-American is three times our problem in comparison to the Negro.

Vice Chairman STOREY. I believe that is all, Mr. Chairman.

Mr. WADZECK. I do think when you mention concerning the races that having the Latin-American population problem made our program a little easier.

Chairman HANNAH. How many Negro teachers in your school system?

Mr. WADZECK. At the time of the year before integration we had 22. We had 7 vacancies. We only filled 4 of those. At the present time we have 26.

Chairman HANNAH. Do you have any Negro teachers in the all-inclusive high school?

Mr. WADZECK. No, sir. We did have the counselor there for 3 years, and last year all Negro students were going to the white counselors, so that was discontinued.

Chairman HANNAH. Do you have any Latin-American or Mexican-American teachers in the high school?

Mr. WADZECK. We have a few. I wouldn't know how many. I know our orchestra director is Latin-American. A few others, especially music, are scattered throughout the schools.

I would comment on one other thing to clear up the question I asked Mr. Mills. The only teacher problem we have is the Negro parents want us to put white teachers in the Negro schools, and that has been, I would say, the most serious problem we had, to keep the Negro race from discriminating against themselves.

Chairman HANNAH. You said that you divided your students into three quality groups, as I understood it, and there were more of the Negroes in the third group. I also understood some of them are in the top group.



Mr. WADZECK. Yes.

Chairman HANNAH. Some of them have done very well.

Mr. WADZECK. On a percentage basis. I think that is mostly accounted for in the living standards, lack of home environment that is conducive to that. We are very proud of our Negro people. They organized what they called the Booster Club, and that group tries to provide funds and other things for Negro children that are not financially able to stay in school, and I imagine they keep many headaches away from us.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. I believe Dean Storey failed to ask you one question. I believe Texas is now the second largest State in the Union, isn't it?

Mr. WADZECK. Well, we are the largest that you had——

Commissioner CARLTON. You don't have any Eskimo problem there. Is it your experience that this presents a problem for each community peculiar to itself?

Mr. WADZECK. I believe each community has its problem.

Commissioner CARLTON. You can't pick one pattern that will fit all of them.

Mr. WADZECK. I certainly wouldn't think so.

Commissioner CARLTON. That is all.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. I was interested in your remark that in certain counties in Texas there is a very large Negro population. What has been done in those sections with reference to integration?

Mr. WADZECK. To be very honest with you, I have been too busy with other problems. I just simply don't know. Mr. Wilborn might be able to tell you if any move has been made. I don't know.

Commissioner BATTLE. You haven't heard of any.

Mr. WADZECK. No.

Commissioner BATTLE. Have you heard of any suits in the Federal courts in that connection with reference to integration?

Chairman HANNAH. Mr. Wilborn, do you want to volunteer to answer?

Mr. WADZECK. I know Lee would know. I don't know of any suits.

Chairman HANNAH. Mr. Wilborn is assistant superintendent of schools in Texas.

Mr. WADZECK. I know Dallas is one that is in court all the time trying to decide what to do.

Dr. WILBORN. I don't know of any suits filed at this time. Very little has been done in the so-called deep east Texas area.

Commissioner BATTLE. Has there been any integration?

Mr. WADZECK. Corpus is integrated.

Dr. WILBORN. Yes.

Mr. WADZECK. San Antonio, Austin.

Commissioner BATTLE. Would you say the Negro population predominates in Corpus Christi?

Dr. WILBORN. No, sir.

Commissioner BATTLE. I am referring to the section which the gentleman has referred to as being very largely Negro, certainly 50-50 Negro.

Dr. WILBORN. We don't consider Corpus Christi in that deep east section of Texas.

Commissioner BATTLE. In those sections has anything at all been done toward integration?

Dr. WILBORN. I know of only one, and that is at Marshall. As far as I know, they have had no difficulty.

Commissioner BATTLE. Marshall is just sort of north of Dallas, isn't it?

Dr. WILBORN. It is in the east Texas area.

Mr. WADZECK. That is in the deep east Texas.

I think you will find the school people and school boards are wanting to do what they can. I think there will have to be a lot of patience, especially in the small communities where 90 percent of the people are Negro. We do have such cases.

Commissioner BATTLE. Thank you.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. I think we have all been impressed by the good work you have done in your community. I have one problem here because in your report there is a flat statement I would like to identify as to what you might have as backing for that because it is a question that interests me a lot, and I have studied it. You say the Negro race as a total race is below average in living standards, moral standards, home environment, desire, and general ability. I am wondering what you could bring forth to prove that scientifically. Is this just a factual situation, or are you talking about theoretical or inherent situations?

Mr. WADZECK. I think it is just a factual situation. I think that evidence of that is that our Latin-American population, we don't feel that that is a true measure of their ability. They are about eight points lower IQ than the Negro. We think that is largely a language problem. We are only a little over a hundred miles from the border and get a lot of people right out of Mexico, but the Latin-Americans make higher grades on the average than the Negro students, and in talking with the teachers, they say it is a little bit laziness, maybe they don't care, and I would certainly want you to have the right impression. We think we have a very high quality Negro person.

Commissioner HESBURGH. My only problem was, on a long-range solution of this problem as American people I think we can assume certain things because of performance that may be due in large measure to conditions under which we have asked these people as a race to live, and I think to make general sweeping assumptions like this can very often represent myths that are generally accepted but not scientifically provable, given proper conditions and proper development, and just for the record I would like to——

Mr. WADZECK. My comments were based strictly on their achievement below their ability.

Commissioner HESBURGH. I see, in the factual condition.

Mr. WADZECK. Yes, sir. I frankly think there will be a number of years of adjustment of their race to get them ready for total integration.

Commissioner HESBURGH. I notice one of the things that wasn't desegregated before this school segregation took place or at the time was the public library. Is that segregated still?

Mr. WADZECK. They have two libraries. One is in the predominantly Negro area. I think they still use that. However, they could use the other library. I had never seen a Negro playing on the municipal golf courses until after we integrated, and I had a foursome in front and one behind me one day right after that.

Commissioner HESBURGH. One other thing you have done I think is rather remarkable and makes great promise for the total education picture is this establishment of levels of instruction and what you might call segregation by ability and effort and things that distinguish good from bad students or poor students from good students. Do you think this institution of levels of instruction has promise for the total picture of education as you see it in this country?

Mr. WADZECK. Dr. Conant says that the only difference in our program and what he is recommending is nomenclature. It is a very flexible program. A child may be in the top level in English, middle level in math, science, foreign language in the top level, and so forth.

Commissioner HESBURGH. I have one last question. This 50 per cent of Negro parents who requested transfers to Negro schools after their children were allowed to go to white schools, is that pretty much a normal reaction, would you say?

Mr. WADZECK. Well, our Negro parents were very concerned about putting two and three or four children in a school that was entirely white, and many of them have continued to transfer back. We have an airbase there, and the Negroes that moved there from the North with the military all stay within the school where they live, but the people that have been living there most of the time seem to want to transfer back.

Commissioner HESBURGH. I suppose in a way this is social catching up with the educational leadership.

Mr. WADZECK. I think it is.

Chairman HANNAH. Are there questions that any of the participants would like to ask?

Miss O'BRIEN. I know from the summary that when you discontinued the Negro high school you abolished the Negro teaching positions. May I assume that these teachers have no continuing rights as teachers in the district?

Mr. WADZECK. I believe you failed to hear part of my statement. We had seven vacancies, and we just filled those three. All other teachers adjusted in, but at the present time we have four more teachers now, Negro teachers, than we had previously.

Miss O'BRIEN. As I understand, they are not in the high school, is that correct?

Mr. WADZECK. No; we had only one as counselor, and we don't have others there.

Miss O'BRIEN. So even though you have more teachers, they are not teaching white children.

Mr. WADZECK. That is correct.

Chairman HANNAH. Are there other questions?

Dr. CARMICHAEL. I would like to pursue the question of the Negro counselor in the high school for a bit. Was the work of this counselor wholly or largely with Negro children in adjusting them to the new situation in the high school?

Mr. WADZECK. The Negro counselor originally was entirely for the Negro student. He was formerly the principal. He is now counselor in the system. We placed him there because we wanted to know immediately if anything was going wrong, and we wanted the child to have an opportunity to talk over his problems with someone of his race. They did go to him the first year, a little less the next year, and the third year they all started going to the white counselors, and that person was removed. I think that was one of the best things that we did.

Chairman HANNAH. Are there other questions anyone would like to ask Mr. Wadzeck?

Thank you very much, a fine presentation.

I should like to assure the next participant that he is not going to be shorted in time because the luncheon hour is at 12:30, so we will have ample time for his presentation and questioning and a little break before the luncheon. Mr. Tiffany, will you present the next participant?

Mr. TIFFANY. Mr. Chairman, there has been a slight change in the program. In the absence of Mr. Lynn M. Twitty, who is the Superintendent of schools in Sikeston, Mo., and who has incidentally, pre-

sented his statement in a written form to the Commission, the speaker will be Dr. Carl Hansen, Superintendent of Schools of the District of Columbia. Dr. Hansen.

Chairman HANNAH. Dr. Hansen, take over.

**STATEMENT OF CARL F. HANSEN, SUPERINTENDENT OF SCHOOLS,  
WASHINGTON, D.C.**

Dr. HANSEN. Thank you very much. I have seven points I would like to discuss as thoroughly as I can in 10 minutes.

It should be pointed out there was a great deal of preceding history before the desegregation process took place which prepared the ground, so to speak, for what happened in 1954.

In 1933, for example, Negroes were admitted to Federal recreation areas. In 1941 the Fair Employment Practices Committee was established. In 1944 the YWCA Food Services department was opened to all races. Later in 1948 a presidential order required that appointments to Federal service be on merit only.

In this same year certain theaters were opened to mixed audiences, and Catholic schools were opened to Negroes. The recreation department began developing a gradual program of desegregation.

In addition to this, the power structure of the community was actually in support of antidiscriminatory developments. The President of the United States and the Commissioners of the District of Columbia had spoken clearly on this subject.

The school system in effect was reacting to changes within the community rather than leading those changes, and under pressure from the citizens a committee on intercultural education was established in 1947 by the then superintendent of schools. Later a handbook on intergroup education was developed, which for that time was sort of bold and suggested the ground we were preparing for integration.

We had to make clear to the community and to the board of education and to the people who wanted to follow the strict limits of existing statutes that this was not the case.

However, the board did approve this handbook and set a kind of pattern for preparation in the community schools in 1952.

In addition to this, other organizations within the community offered workshops and seminars to which speakers were invited. Many of us attended these programs on a kind of semiofficial basis. Some of this actually was in the nature of underground activity because of the policy under which we operated, and yet it was taken for granted that teachers and school officers should participate to the extent they could in preparation for the possibility of desegregation in 1954 or whenever the Supreme Court rendered its decision.

In 1952 the board of education invited citizens to suggest how desegregation should be processed. The importance of the statement is that the board took it for granted and in a sense announced to the community that if the Supreme Court declared segregation to be unconstitutional, the intention was to desegregate at once.

In 1953 the superintendent of schools organized a series of workshops in intergroup education for board of education members, staff officers, and so on. This was the first time actually that an official program leading toward the possibility of desegregation was sponsored by the schools and the board of education, too.

What I am saying then is that the public attitude shaped the direction of events and responded to what was happening, and the desegregation process in Washington, D.C., was in a sense a commitment of the stream of history developing in that community and was not in any sense too far ahead of the thinking and wishes of many people of the community.

The second point I would like to discuss is that actually what happened in Washington was that two school systems became one. We were perhaps one of the few major school systems in the country which under a dual system of education provided two administrative lines of authority. Under the superintendent of schools was an assistant superintendent who was responsible for the development and control and management of what was called the Negro school system or division two. We had an operation and in a sense duality in terms of administration from the very top level to the teachers and custodians and a complete separation, although technically the offices merged in the office of the superintendent of schools. One of the great values then of desegregation in Washington is what I would call a unification of the school system. These values, I think, need to be stressed as we consider what has happened.

The first important gain is that the establishment of communication among all elements of the organizations was now possible. The board of education, school officials, teachers, pupils, parents, citizens, and civic organizations could meet together and work together and exchange views without fear or self-consciousness or the defensiveness which the old system fostered.

A second value in unification is that the total system could now work as one for the improvement of the school system, that is, for the educational program. Under the dual system, for example, the simple claim for better equalization of space, teachers, and resources lead to intrafamily squabbling that prevented progress and improvement. Child was set against child, group against group. This was the pattern of social and civic disunity that was shaped by the matrix of the dual school system.

It is hard to imagine that opponents of desegregation would want really to return to the clumsy, provocative, and inefficient system of education which had been tolerated so long in the Nation's capital.

The scope of the unification that occurred from May 25 to September 1954 perhaps has not been duplicated in the history of school administration anywhere in the country. When the District of Columbia schools closed in June of 1954 there was no racial intermixing at all. When they opened in September of 1954, 116 or 73 percent of the schools included Negro and white pupils together, and white and Negro teachers were working side by side in 37 or 23 percent of the schools in the fall. This transition had been accomplished over a period of about 2 months' time.

It is clear that education is better for all concerned where the school system is unified. It has been further proved that unification can be achieved with dispatch once the policy and basic principles are established; and finally, it would seem that in the District of Columbia, at any rate, a speedy and comprehensive treatment of the problem was best.

Changing population. This is one of the elements about which we are much concerned and on which there is much attention placed. Immigration resulted—I will give these facts so you will understand the background—in an increase of 113 percent in the Negro population of the District of Columbia from 1930 to 1950. Keep in mind this was prior to desegregation. In the same period there was a 340 percent increase in the Negro population of Los Angeles, 110 percent in Chicago, and 150 percent in Detroit.

In 1940 the Negro population of the public schools of the District of Columbia was 38.3 percent of the total. In 1950 it was 50.7 percent, showing a rate of increase of a little more than 1 percent per year. From 1950 to 1958 the Negro pupils jumped percentagewise from 50.7 to 74.1, a 23.4 percent gain in the 8 years at about a 3 percent rate per year. Obviously there was an increased rate in the population change, particularly in terms of school children, during the years of desegregation.

That problems result from this shift in the racial population must be acknowledged. One is the obvious association of this change with integration, especially by those who are unsympathetic to shifts in residential patterns, a point of view that is predicated upon the assumption that Negroes should be restricted in their freedom to choose where they want to live. On the other hand, the change creates some degree of concern among the proponents of desegregation.

Well, two minutes left. What will I do with it?

Chairman HANNAH. Go ahead.

Dr. HANSEN. I think I should point out to you that there is a second phenomenon come to light in this transitional period. One is

when schools become predominantly Negro or white the transition moves rapidly. In October of 1958 we had 23 elementary schools which were from 80 to 100 percent white, and 83 were 80 to 100 percent Negro, and a total of 128 schools. In other words, 83 percent of the elementary schools are predominantly white or Negro, indicating clearly that if a numerical balance in enrollments does occur, it does not last for long.

Actually we are finding that the policy of desegregation does not automatically insure the benefits of cultural diffusion. The value in this respect must be sought, I think, by mixing and setting up intergroup faculties, establishing and following a common curriculum, observing the same patterns of cultural and academic standards. In other words, directed effort is required if the Negro pupil is to assimilate the white culture system and if the white pupil is to enjoy the contributions of the Negro culture system.

Technical desegregation, it seems to me, does provide opportunities that should be made use of without resort to artificial methods of enforced intercultural contacts, for example, by the transportation of pupils out of their own residential zones.

The soundest principle of operation is to educate children in their neighborhood schools while at the same time making a broadening of cultural experiences a conscious part of the curriculum.

Curriculum and instructional changes. We have done something, I think, such as has been done in San Angelo in an effort to make it possible for every child under the desegregation process to get a maximum education opportunity, to make it clear that the gifted as well as the slow will be challenged at their maximum, and that in no sense can it be said that the mixing of Negroes and whites in the classrooms would impair the educational opportunity of anyone. We have organized the ability grouping programs which we call the four-track curriculum. We are a little bit more fixed in our organization there. We require the student to pick a pattern of courses for each of the curriculums. There is flexibility.

I think I should take time, too, to tell you something about the standard scores, because we have been misunderstood by many wise and intelligent people in respect to so-called changes in standards.

In 1954, which was the first year of integration, all six grades made a median score of 4.9 in the paragraph meaning in the Stanford achievement test against a national norm of 6.6. This obviously is far below standard. In 1953 the white sixth grades made a median score of 7.2 on the progress reading test.

At once the charge was made that the desegregation lowered school standards. What really happened was that we began to report achievement record scores for the entire school system. The method of reporting had changed, not the facts.



Since 1954 citywide achievement medians have gone up, although the number of white pupils has decreased. This fact attests to the educability of the Negro pupil and indicates that the cultural and economic poverty experienced by many Negro pupils can be overcome to some extent, at least, by education, and I have statistical data to back up this conclusion which I will not take the time to review here.

Discipline. We all agree the teachers want an opportunity to teach, but there are many conditions which interfere with the proper performance of that function that are complex: home situation, crowding, hunger, lack of parent control, mobility, transiency, and so forth. Just a sentence or two from a report from one principal in February of 1959 will indicate to some extent the educational problems which result not because of desegregation but because of family conditions, economic conditions, moral and other problems within the home. This principal stated that "many children live with relatives rather than parents; many are illegitimate. In most homes the mother is employed. Frequently no care is provided for the children. For an example, a 5-year-old afternoon kindergarten boy gets his own lunch, is home all morning alone. Many homes are overcrowded. For example, 23 people, including at least 12 children, are known to be living in a one-family dwelling within the zone of this particular school."

The principal observed that almost without exception parents who do feel responsible for their children, support the school, are friendly and anxious for help.

The problems that we have in discipline then and the difficulties of education result, I think, from family backgrounds and community mores rather than from the fact that children have been placed together in the same schools. These problems have been highlighted, and brought to the level of consciousness because we have seen them as we have never seen them before under a dual school system.

I should say this, as a matter of fact, that there is very little notable increase in difficulty which can be attributed to integration exclusively. Actually in some instances the incidence of severe cases seems to be subsiding rather than to be on the increase.

The multiple efforts to meet children's needs in the District of Columbia are bearing fruit. These include the efforts of nonschool agencies, adjustment of curriculum offering so that children may learn at the level of success, and this point is extremely important, an increase in special or auxiliary services for serious cases, our efforts to reduce class sizes and part-time instruction, and a persistent attack—so far not very fruitful—upon the problem of job opportunities for Negro youth.

Finally, the vast majority of the pupils are performing responsibly—112 to 114,000 of them in nearly 5,000 classrooms every day—against which studies of deviations in behavior must be seen in proper perspective, otherwise great injustice is done to many people, and conclusions are drawn which are both unjust and unjustifiable.

*Social relationship*—The mores of the community discourage dating between white and Negro youth. School-sponsored social functions such as dances and picnics have not led to the promotion of romantic attachments. Only one case in 4 years has developed in which a Negro boy and a white girl who attended or had attended the same school were subsequently married. In this case the boy graduated one year ahead of the girl.

It must be remembered that in the District of Columbia children attend their neighborhood schools. They are therefore in most cases living in mixed communities if they attend mixed schools. They play together frequently, they work together, form friendships that are based on common concerns, and thus the transition into the desegregated pattern in the school itself is not uncommon to their preceding experience.

*Main focus, education.*—I am not going to take the time here to stress the points that we are developing in the Washington school system, simply to say this, that because we have gotten past the immediate problems of desegregation, because we have been able to unify our approach and our attack upon educational problems, the community has rallied behind the schools in an effort to improve the quality of education for all the children, and it seems to me that this is the constructive approach. This is the area in which we would like to have attention, that is, that we are putting our main efforts upon the education of all the children who come into our schools.

Chairman HANNAH. Thank you very much, Dr. Hansen.

I would like to ask a question or two. You indicated that the percentage of the Negroes in the school system had increased now to 74 percent, if I understood you correctly.

Dr. HANSEN. That is correct.

Chairman HANNAH. What is the division among the teachers? What percentage of your teachers are now Negroes?

Dr. HANSEN. Sixty-two percent—

Chairman HANNAH. White?

Dr. HANSEN. Approximately are Negro teachers.

Chairman HANNAH. More Negro teachers than white?

Dr. HANSEN. That is correct.

Chairman HANNAH. Do you have difficulty getting white teachers to teach in the system?

Dr. HANSEN. I think to be completely candid about it, we have to say that some of the applicants that we talk to find it difficult to come into the school system with the possibility of working in all-Negro schools, and I am sure as a result of that we have some impairment in our capacity to attract teachers into the school organization. On the other hand, we find teachers actually coming to Washington because of what is happening there and their concern and interest in this particular type of development.

I would say, however, that in the main we find it more difficult to attract white teachers into our school system than would ordinarily be the case.

Chairman HANNAH. Is there any significant difference in the qualifications of the teachers, white versus Negro?

Dr. HANSEN. None whatsoever. The qualifications and the requirements for positions in the District schools are the same and have been the same for many years for both races, so to speak, and in addition to that, we are now using the national teachers examination to be sure that each teacher who comes into our system at the elementary level has a common base of academic and scholarship preparation for teaching.

Chairman HANNAH. The integration of the Washington school system has had a good deal of publicity in the national press and the news magazines and so forth, and I think that a general impression has gained wide acceptance that there has been a substantial deterioration in the quality of the instruction in your schools. I take it you don't believe that is true.

Dr. HANSEN. That is a conclusion that is founded, as I said in the first part of my presentation, upon misinterpretation of the facts. What we are showing is that we can improve overall standards, and this we have been able to do since 1954, and what we need to emphasize over and over again is that up to 1954 we were reporting achievement tests only in the white schools. For some reason or another we neglected doing a similar type of survey testing in Negro schools.

There was in effect, I think, a feeling that maybe rather general in segregated school systems that after all we don't expect the same standards to be maintained in the Negro schools or to be achieved there. Therefore, I think we need over and over again to say that all we did was to discover the facts and report them to the community in 1954 and that subsequent to that time we are showing a slow but steady increase in the overall averages, and at the same time we are preserving the high standards of accomplishment among our gifted children.

Chairman HANNAH. One more question. If I understood you correctly, you indicated that you are dividing all of your students into four academic levels.

Dr. HANSEN. All of the students at the senior high school level are so grouped now, four tracks. The honors for the bright, college preparatory, general, and basic, basic for the retarded child. We have moved this program now into the junior high school where we have ability groupings in the seventh grade, honor classes, we have 500 students in the group, by the way, with an average IQ of 131, and with a reading level of 3 points plus above the national norm and a level in arithmetic of 2.5 points above, demonstrating clearly that the brighter children are being educated and we are moving this program now into the elementary level next year.

Chairman HANNAH. Can you make any generalized statements with reference to the distribution of the races in these various tracks, one, two, three and four?

Dr. HANSEN. Yes, sir; I can, in a general sense. In the basic program where the children are retarded in arithmetic and reading, most of the, say, 1,500 10th graders who may be in this grouping at any given time are Negro students. We would have, as I recall, one set of figures in that group, about 150 white students. At the other end of the scale, with 350 honor students in the 10th grade class, on one occasion we had 50 who were Negro students. This demonstrates, of course, the curve on the Negro population, but it also illustrates that there are capabilities among Negro students which are equal to white students and that there are problems of retardation among the white students as severe as those among the Negro students.

We are talking about a difference in degree, not in kind.

Chairman HANNAH. If I understand what you have said, you have indicated you have a larger percentage of the Negroes in the bottom and a smaller percentage of them in the top.

Dr. HANSEN. That is correct.

Chairman HANNAH. But that some of those are of very comparable quality with the brightest of the whites, is that correct?

Dr. HANSEN. That is correct.

Chairman HANNAH. And it is your conviction that the quality of the education that you are now offering in the Washington school system to these bright youngsters at the top is at least equal to what you had prior to 1954.

Dr. HANSEN. I think it is better, because we are grouped, and we have concentrated on the problems of the gifted in a way we had not been doing prior to 1954, and I believe that statistics which we will soon release will show this to be the case in a substantial way.

Chairman HANNAH. I recognize this next question calls only for a matter of opinion. I think the idea has had wide acceptance that one of the reasons that there has been a substantial outmigration of whites and a very substantial immigration of Negroes has been the integrated school system, the desire of many of the white people to

get away from the integrated schools. Do you have any comment on that?

Dr. HANSEN. Yes, sir. I think as a matter of opinion I would have to say that some of the exodus from the central part of the cities may be attributed to integration. There is no question about that. The extent to which this occurred is more questionable. We know that there has been an outmigration prior to 1950; it was developed at a rate of about 1½ to 2 percent, just stepped up to about 3½ to 4 percent after 1954, so we were seeing a trend which may have been accelerated in any case.

As a matter of fact, some of the outmigration toward the better living surroundings is also being engaged in by Negroes. As soon as they are capable, they want to get improved conditions for their children. This is something any family wants whether one race or another, if he is concerned about how his children are going to be brought up. What we are seeing then is a theoretical explanation of a practical problem of social and economic nature.

Chairman HANNAH. Of course there is nothing unique about the situation in Washington. It is usual in all our big cities that the financially advantaged are moving into the suburbs.

Dr. HANSEN. That is correct.

Chairman HANNAH. And the financially disadvantaged, whether black or white or whatever they are, are moving back into the central cores of the old city.

Dean Storey, do you have questions?

Vice Chairman STOREY. Dr. Hansen, apropos of the last questions of the chairman, in this outmigration I don't believe there has been any total population given as to the present. I believe you said now or in 1958 the Negro percentage of school children is up to 74 percent.

Now, what is the present population of the district proper in that same period? The latest we have is 1950.

Chairman HANSEN. The last estimate is that the total population of the District is 52 percent Negro or nonwhite.

Vice Chairman STOREY. And the percentage, though, of Negro population in the school is 74 percent.

Dr. HANSEN. Yes. That comes about for a number of reasons.

Vice Chairman STOREY. I was just going to ask you about those.

Dr. HANSEN. One is that the families of the Negro race seem to be—what is the word—more prolific, more children among the Negro families than among white families. The second is that when a white family begins to develop crowdedness in home conditions and wants to improve itself, it can move into the suburbs, so the tendency is for the adults with children to move out to the suburbs. The counter-tendency is for adults without children to live within the city in the apartment houses, the older citizens to remain in their homes in the

communities. So we have an interplay of factors of that kind which seems to justify the difference between the percentage of Negro enrollments in our schools and the percent of Negro population in the city as a whole.

Vice Chairman STOREY. I assume part of it is accounted for by the fact that some of them go to parochial schools or private schools.

Dr. HANSEN. Yes. Approximately 17,000.

This is a little over 12 or 15, about 15 percent go into the nonpublic schools.

Vice Chairman STOREY. What about your other minority population in the District proper? Is it any appreciable percentage besides the Negroes?

Dr. HANSEN. Not an appreciable percentage. We have Japanese, Chinese, we have one school in which we have 72 different countries represented. This is the Americanization school, a very unusual one. As you know, Washington is a cosmopolitan city. There are all sorts of racial and national backgrounds represented in our school population.

Vice Chairman STOREY. One other question. As to the question of discipline, has it been more acute, say, in the last year than it was when you started, because of the high percentage?

Dr. HANSEN. I think not. Maybe for a very practical reason, that we have grown accustomed to working together this way. The children do not so often now become involved in conflicts which have a racial characteristic or motivation. Somebody has said that two boys can fight and the question of race may not be in issue at all, but it is always a factor if it does exist.

I think possibly, too, that we are finding better ways of meeting the needs of children. For example, the basic curriculum or fourth track has made it possible for students who might otherwise be extremely unsuccessful in a regular class placement to be successful at their level of capability, and the result is that they don't become involved in disciplinary cases.

Vice Chairman STOREY. You would say generally that the disciplinary problems have not increased.

Dr. HANSEN. Have not increased. Let me make this clear, this isn't to say we don't have many problems. We do have. We need many more resources than we have available now to meet the needs of all of the children, and that many teachers, of course, are working away beyond to meet their responsibilities must also be stressed.

Vice Chairman STOREY. Thank you.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No questions.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. A very large amount of that moving out of Washington is people moving into Virginia, isn't it?

Dr. HANSEN. Yes; they are moving definitely into Virginia, Montgomery County. It is interesting to note, however, that in terms of total increase or proportionate increase the Negro population in some of the Virginia counties has grown as much as the Negro population in the District of Columbia. The difference is that the counties have gotten an increase in white population which reduces the proportion.

Commissioner BATTLE. You are referring to the outmigration from Washington. I assume it is very easy to understand why those people move over to Virginia.

Doctor, do I understand you to state that there is very little difference in the disciplinary problem since integration from what it was before?

Dr. HANSEN. Yes, sir; that is the point I am making.

Commissioner BATTLE. In your opinion the problems prior to integration were just as serious as they have been since integration.

Dr. HANSEN. I think so.

Commissioner BATTLE. That is all, sir.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Dr. Hansen, this four-track system impresses me. Is it much more costly than what you were doing before integration?

Dr. HANSEN. It hasn't cost any additional money. As a matter of fact, I think we have gotten better use of our resources because of the ability grouping technique. Actually it is easier to teach a somewhat larger class of children more closely related in academic preparation than to teach a smaller class with large spread of difference.

Commissioner HESBURGH. Do you group them only on account of their IQ, or do you also take into account their performance?

Dr. HANSEN. We use a combination of factors. We know the IQ itself may be misleading. We consider the youngster's academic record and preceding grades, his achievement records as shown in terms of standardized tests; we consider his health, his attitude.

For example, if a youngster is extremely interested and enthusiastic, we will give him a chance in the honors program even though he may be just slightly under the requirements. These are factors that we take into account.

Commissioner HESBURGH. The parochial schools have been integrated for sometime in the District, haven't they?

Dr. HANSEN. Yes; beginning with 1948.

Commissioner HESBURGH. They probably don't have as many Negroes as you do.

Dr. HANSEN. I think proportionately not, although I am sure that some of the elementary schools are predominantly Negro.

Commissioner HESBURGH. I know, Dr. Hansen, that you have been upset at times at some of the things that have been said about the Washington school system. What do you think is the most unfair thing that has been said about your system?

Dr. HANSEN. I am intrigued by your use of the word "upset."

Commissioner HESBURGH. An understatement.

Dr. HANSEN. We try to be relatively calm about things and also to be sympathetic with the problems of the people who are making the comments about us. I suspect what we object to most is a generalization about characteristics and qualities of the children and teachers in our school system based upon the activities of a few children who are in trouble. To be specific, for example, we have a fairly high incidence of pregnancies among junior high school girls. We like to say that this is not a condition which results from their placement in school. This is a condition which arises from their home situation, and we object, first, when people see these figures and play them all out of proportion in their relationship to the total number of girls that we have in our school, we think this tends to malign everyone of the children in our school system, most of whom are as fine as you can find anywhere; and secondly, tends to place blame, by perhaps indirection, if not direct emphasis, upon the schools for a condition which arises outside the school contacts.

Finally, we believe that in the school these children often find their best opportunities. Why then attack the schools for these conditions? This doesn't really irritate us, but we tend to react when it is said.

Chairman HANNAH. Anything further?

Commissioner HESBURGH. What you are getting at is again we just don't have a school problem, but a social problem which perhaps is much more serious and much more fundamental.

Dr. HANSEN. That's right.

Commissioner HESBURGH. And much more relevant than the things attributed to the school problem.

Dr. HANSEN. Yes, sir.

Commissioner BATTLE. May I ask one I overlooked? Prior to 1954 was there an act of Congress providing for segregation in the District schools?

Dr. HANSEN. This is a question that has not really been specifically answered, Governor Battle. By implication the schools were separate.

Commissioner BATTLE. I know they were separate, but was that by virtue of any congressional act?

Dr. HANSEN. The Organic Act of 1906 specified there should be a first assistant superintendent in charge of Negro schools. What I



am saying is that there was no specific statute which said the schools must be separated. But the court ruled that the statutes having to do with the Organic Act and also with appropriations indicated the intent to be separation on the basis of race.

Commissioner BATTLE. Thank you.

Chairman HANNAH. Are there questions from the participants?

Mr. HUMAN. Who makes the decision in placing your students in the four-track system? What I am getting at, to what extent do parents have a voice?

Dr. HANSEN. The parents are asked to approve the placement of children in the honors curriculum. This is for the reason that we expect this to be a very stiff course, and we want the parents to support us in that project. In the basic curriculum the student and parents have no choice. If the record indicates that the child must have the benefit of the remedial work to be given there, that is where the child will be placed.

Dr. CARMICHAEL. Do you have at present or do you plan any concentration of your very low achievers at junior or senior high school level in a single school as compared with the policy which would care for them in the several schools?

Dr. HANSEN. At this moment—and I think we are not likely to change so long as I am around—we are dead set against the idea of special schools for slow learners. We are committed to the idea of the community school. We have one school for behavior boys in which we have an enrollment of 29 or 30,000. This is not within the category of your definition, I would say. No special schools.

Chairman HANNAH. Other questions from the participants?

The people at the advisory committee table, do you have a question you would like to ask?

Before I turn the session back to Mr. Tiffany to introduce the Secretary—first of all, Dr. Hansen, thank you very much for that very splendid presentation.

Dr. Bryan, there was one question I wanted to ask you that I forgot until after we had proceeded to the next person, and that was a question with reference to the relative cost of the operation of your school system desegregated as compared to what you had before. Does it cost more or less to operate your school, or could it cost more or less if you continued to move in the same direction?

Dr. BRYAN. I would say that at the present time, because of the limited degree of integration, that there is no observable change. I have pointed out to the board repeatedly that there would be substantial saving in manpower and use of facilities if we did move more rapidly toward integration. I note that the staff extracted a portion of a bulletin that I wrote to the board sometime ago, the last two pages of the report, that some of you may have read. That was an

outgrowth of a meeting with the board where we discussed some of our overall organizational problems, and these things are all so interrelated that integration is right in the center of them.

We are completing a rather extensive building program which will make necessary reorganization of the school system, and the use of existing teachers and facilities could be put to much better advantage if we did integrate some teachers.

For example, next year I can envision that we could get along very nicely with not more than 10 or 11 Negro teachers in those Negro staffed schools. Yet I would say that the board and the community are rather willing to afford that luxury of keeping those Negro teachers in those separate schools.

On the last page of my report I projected my thinking as a result of that meeting where I anticipated about what the board would agree to, and subsequent to this report to the board they have agreed that that is about what they would like to do. Possibly I should have read into my formal report my very last paragraph in that bulletin. Some of you may care to read it, where I raised some rather philosophical questions about whether or not we are attempting to meet the problem realistically.

I would say that the pressures upon the board of education in our community by real estate people—I get some calls, some of them anonymous, from people who are wanting to buy a home in a certain place, and they say, “Are there Negroes that go to that school out there?” And sometimes they give me considerable conversation as to what we should do about it. They think we shouldn’t have let them attend that school.

I would say that we could operate the schools substantially cheaper if we could completely integrate. We could use our teachers to better advantage, we could use our facilities to better advantage, and without integration of teachers we are going to waste some manpower.

Chairman HANNAH. Thank you very much. Mr. Tiffany, do you have an announcement or two?

Mr. TIFFANY. If the group will proceed immediately following Mrs. Arth’s comments to the ballroom, we will have luncheon, and Mrs. Arth has a few comments that she wanted to make.

Mrs. ARTH. Thank you, Mr. Tiffany. Miss O’Brien and gentlemen, I believe that you will find immediately in the front of the notebooks which you have been using this morning some papers which have to do with expense items which the Commission will pay for you in regard to this trip. I hope that the mimeographed form which is on legal-sized paper is self-explanatory. The main information I need from you in order to make out your travel vouchers is to be assured of specific arrival and departure times. When you

do travel by car, I will need to know the mileage, and there is a place for that to be filled in.

You will notice down at the bottom of that form I have said, "Please attach all receipts." Of course for the luncheon today and tomorrow—for which I will be coming around to collect during the luncheon itself—you will not need a receipt. I know exactly how much it costs. It will be \$2.50 each day, and I suggest that for those of you who are going to be with us both days that you might wish to pay today for both lunches, making it a total of \$5.

The other forms to which I refer are called the travel voucher. There are two copies, and I guess the reason for the two copies is that we are apt to make a mistake. Approximately a third of the way down the page, immediately above the first set of double lines, is the word "payee." The only thing that I would like to have you do on that form is to sign your name where it says "payee." Please do not put a date on the form. Also enclosed is a franked envelope addressed to us at the Commission which we would like to have you use to return to us the travel and expense data form and the two copies of the travel voucher which you will have signed, and as I said before, please enclose all receipts that you possibly can.

Thank you so much.

Chairman HANNAH. Luncheon is in the ballroom.

Mrs. ARTH. The luncheon is in the ballroom on this floor, and it is almost directly at an angle across the lobby from the entrance to this room.

Chairman HANNAH. We will reconvene at 2:00 o'clock in this room.

(Whereupon, at 12:30 p.m., the hearing was recessed, to reconvene at 2:00 p.m., of the same day.)

CONFERENCE  
BEFORE THE  
UNITED STATES  
COMMISSION ON CIVIL RIGHTS

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EDUCATION

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CONFERENCE HELD  
IN  
NASHVILLE, TENNESSEE

March 5, 1959, Afternoon Session

THURSDAY AFTERNOON SESSION, MARCH 5, 1959

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(The hearing reconvened at 2 p.m., Chairman Hannah presiding.)

Chairman HANNAH. Ladies and gentlemen, the conference will come to order.

There are two of our invited guests who were not here this morning when we opened the meeting, and I should like to present them to you now. The first is the Honorable Elliot L. Richardson, the Assistant Secretary of the Department of Health, Education, and Welfare, who is here representing that division of our Government and Mr. Arthur Flemming. Mr. Richardson, will you stand so they can see who you are?

The Honorable ELLIOT L. RICHARDSON. Thank you, Mr. Chairman.

Chairman HANNAH. Then Dr. Thomas Pullen, the state superintendent of schools of Maryland. Dr. Pullen.

We are very happy to have you gentlemen join us.

Mr. Tiffany, will you introduce the first participant this afternoon?

Mr. TIFFANY. The first participant, Mr. Chairman, is Dr. Ward I. Miller, superintendent of schools from Wilmington, Del.

**STATEMENT OF DR. WARD I. MILLER, SUPERINTENDENT OF  
SCHOOLS, WILMINGTON, DEL.**

Dr. MILLER. Mr. Chairman, members of the Commission, participants in the conference: I should like to review briefly the steps taken in Wilmington looking towards the complete integration of the city school system; and second, I should like to point up some of the problems that have occurred in connection with integration and that we face in the future.

Numerous steps have been taken toward integration in Wilmington prior to the decision of the Supreme Court handed down on May 17, 1954. Over several years before this date Negro and white students were enrolled in classes for the blind and the deaf, in evening school courses, and in adult education activities. Teachers of both races worked together on committee assignments; they were accepted on an equal status in city and State professional organizations. Pupils of unusual ability sang and played together in citywide choruses, orchestras, and bands without regard to color. Teams representing Negro and white schools engaged in athletic contests in all sports. The

annual Conference on International Relations and the United Nations was organized and conducted by delegates from the student bodies of both races.

Some steps have been taken by the city at large such as the opening of motion-picture theaters to both races. However, the schools led the way towards the desegregation and integration.

Since it was becoming more and more clear that a court decision was approaching, plans for new schools took into account the effect of integration on building locations, sites, and probable student enrollments. Three new elementary schools on the east side of the city were organized with integration in mind. All of these measures were approved by the people of Wilmington and Newcastle County. As a result, a state of acceptance and readiness had been established by the time of the Court's decision. Three weeks after the opinion was handed down, the State attorney general wrote the president of the State board of education as follows:

According to the opinion, we are required to submit briefs by October 1, 1954, for the purpose of assisting the Court in formulating the method to bring about an effectual gradual adjustment for existing segregated schools. The opinion is not a self-executing one. It does not call for immediate integration. It is possible for any school district, however, where circumstances permit and the situation warrants, to effect integration consonant with the law of the land as now announced by the recent Court decisions, without doing violence to the constitution and laws of our own State, notwithstanding the fact that the mandate of the U.S. Supreme Court has not yet been handed down.

The constitution in the State of Delaware provided for separate schools in the State, and that had been the practice until the opinion of the attorney general.

On June 11, 1954, the State board of education authorized the board of public education in Wilmington to proceed with the development of plans for the integration of the city schools. At a meeting of the board of public education, held on June 21, 1954, the superintendent presented specific proposals regarding integration of the city schools. These were considered with great care and thoroughness. The proposals were studied again at the regular meeting held on July 8. At this time opportunity was given individuals or representatives of organizations or groups to put forward any statement or material objection. A number of persons availed themselves of this opportunity.

Following the public hearings and the careful review of all questions that had been raised, on August 2, 1954, the board approved the first steps in a plan to integrate the city schools. For the school year 1954-55 all the elementary schools were desegregated. One Negro school was closed, pupils and teachers being transferred to a previously all-white building. The next year the junior high schools were integrated, and the following year the integration was com-

pleted, so that by September 1956 all of the city's schools were integrated.

The mechanics of integration have worked very well in Wilmington, and we feel that so far as the transfer of youngsters, Negro children into white schools, that has been accomplished. We have not been nearly so successful in the transfer of white students into all-Negro schools.

For about 25 years it has been the practice in Wilmington to have what is called the open door transferral policy, which is simply that students living in one area or one ward district of the area of attendance might request transfer to another building. Where there is room that has been recognized. Our board then took the position that in following through the plan of integration, the same procedure would be followed. However, the request for transfer of Negro students into white schools was not as great as we had anticipated, and that has been the case up to the present time. At the present time 45 percent of our elementary youngsters in the city schools are Negro. That is an increase of 4 percent in the last 2 years. About 39 percent of the junior high school students are Negro, and that represents an increase of about 1 percent. In the senior high schools it is about 20 percent or an average for the city at large of 39 percent of all children in the city who are colored, and 36 percent last year. The increase represents  $1\frac{1}{2}$  to 2 percent over the city at large.

We have also proceeded with the integration of teachers. We have 33 Negro teachers teaching in white schools and about that same number of white teachers teaching in colored schools. We have 168 to 170 Negro teachers out of 650.

The mechanics, as I say, of integration have proceeded smoothly. We have had very little objection, and I would like to point out that the reason for that is the very excellent plan of home visitation which was carried on during the first summer of 1954 when the plan was first introduced. Principals gave up their vacations, they took teachers, both Negro and white, into the homes of the children who were to be sent to their schools, and the result was that when school opened in September of 1954 there were no objections. The move was supported by all of the prominent organizations, parent-teacher associations, churches, labor unions, AAUW, NCCJ, NAACP, although the National Association for the Advancement of Colored People preferred that we move directly and completely the first year into integration. Their request was rejected, and it was complete over a 3-year period. After the first year, however, the officers of the NAACP in Wilmington complimented the board of education in proceeding as they had and said that the plan that was developed was much better than complete integration would have resulted in the first year.

The result is then to say the mechanics of integration have been

more or less completed, and we feel that with the development of our program over the years the problems will not arise from integration.

However, may I point out now just what the situation is with respect to the city itself. Wilmington is a compact city of 15.2 square miles. There is no business area separated as such where people do not live. There has been the last 2 years a great migration of Negro people into Wilmington, and they have moved across the former boundary lines until now there is a dispersal of Negro families in all parts of the city. There are only two high class residential areas which do not have Negro families at the present time. There are whole blocks in the city where "For Sale" signs begin to appear, and within a week or so Negro families move in and neighborhoods are taken over. There is no way to raise objections to that because of the increase in the number of Negro families that are moving into the city.

Four years ago we developed a program of testing and of census analysis and residence analysis so that we have an IBM card for every student enrolled in the city schools. On that card are given complete data regarding the background of the family, the occupation of the parents, all of the information which we need in the classification of students. We proceeded into grouping our students, much as has been described this morning by Dr. Hansen and others, into a three-track system. Our city schools provide for children, extending from the trainable children at one end to the very gifted at the top, and we are now proceeding to group children on the basis of previous scholastic experience and training, on accomplishment, performance, as well as on the intelligence quotient of the individual concerned.

We feel that by grouping we are enabled to provide a kind of education which these youngsters need. Next year we shall have mixed student bodies in all of our schools. There are only three now in the city which do not have mixed student bodies. Some of these do not have very many white children in the Negro schools, but the number of Negroes appearing in our white schools is increasing right along so that we shall have a complete mixed student body within the city by September of 1959.

The question has often been raised with respect to the ability of the Negro youngsters as compared with the white students. There are no facts on that point now appearing which we did not know prior to integration. We knew that there was a difference in the performance of Negro students even though they were in segregated schools; if there has been any change at all, it has been for the better.

We have been very selective in the transfer of our Negro teachers into the white schools. They represent perhaps the best of the Negro



teachers, and they have gone into the senior high and junior high schools without difficulty. We have transferred music teachers, math teachers, science teachers, with fine backgrounds of training, and they have been accepted by the students and also by the families in these schools.

The problem arises, of course, as to what will happen with the dispersal of the families over the entire city as is likely to happen within the next 2 years. It is predicted that by 1961 we shall have more than half of our students colored throughout the city. By 1965, two-thirds of the students, will be colored, the same as has happened in cities around Wilmington and in Washington.

There is a migration from the city into the suburbs, but also their places are being taken by other people coming in. We have one 22-block slum clearance or urban renewal project which will change the character of that neighborhood, and that will have a great effect upon the character of the students attending for the reason that the new homes will be of a much higher level and rental level than are the present slum housing which are there at the present time. But we are providing for transfer of teachers into four new buildings that we are building, both Negro and white. Many of our all-white schools now are more than half Negro.

The question of the division or dispersal of the range of youngsters of ability throughout the schools corresponds with what has already been said this morning. A larger part of our Negro youngsters are in the lower third of the pupils in ability, but in our honors classes and in our advanced placement classes we do have a certain percentage of Negro boys and girls who have proved that ability to make good and in competition with the white students.

We have had no difficulty in athletics. We provide social activities, but interestingly enough, in the senior and junior high schools the Negro students dance or play together and do not mix with the whites in these occasions. In student government, in other activities of the school, there is no question. In our all-city bands and orchestras the same thing takes place.

One of the things that is disturbing us a little bit is the location of leaders in these local communities. Many of the people who served as leaders before have left, and so far we have not been able to develop as many leaders of these folks as we shall have to do. In connection with the Girl Scouts and Boy Scouts and other social agencies, we are trying to find the men and women who will be called upon to lead in the neighborhood where these people exist. It is a thrilling experience to have had a part in the development of this program, but it does present many questions for the future. We have on our board of education an outstanding Negro gentleman who has made

a great contribution to the program of the schools. He is a man who knows the Negro people, he is willing to be realistic in his appraisal of their ability, and he has seen, I think, many of the problems and pointed them out to other members of the board and to the school administration as to just what lies ahead.

The big problem in Wilmington is the danger that we face there of having, as other cities are having, this influx of Negro people, and may I add that we are having also a great many of the white people coming in from the coal mines and from the farming areas of the South and the West, so that Wilmington has perfected more or less the mechanics of the situation, but the problems incident to the educational program yet remain to be solved.

Chairman HANNAH. Dr. Miller, maybe you indicated in the early part of your statement, but if so, I missed it. What is the population of Wilmington?

Dr. MILLER. It is about 125,000 at the present time.

Chairman HANNAH. How many of the teachers are colored?

Dr. MILLER. 170.

Chairman HANNAH. How many white?

Dr. MILLER. 650.

Chairman HANNAH. Your Negro teachers are comparably trained with the white teachers?

Dr. MILLER. Yes. On the same salary schedule. They have the same academic and experience requirements as the white teacher.

Chairman HANNAH. You say 45 percent of the youngsters in the primary schools are colored and 39 percent in the junior high school and 20 percent in the high school. Why is there this substantial difference? Because people moved in, I would expect that they would come with children of all ages.

Dr. MILLER. That is true. There are a great many younger Negro families coming into the city, and they are living in the city. We expect that over the next 5 years that the number of students in the junior and senior high schools will increase proportionately as these youngsters advance through the program of grades. But at the present time that is the figure.

Chairman HANNAH. Is there a higher drop-out rate for the Negroes than the whites?

Dr. MILLER. Yes, sir. We are trying to amend that somewhat by the introduction of diversified occupations, of business education, of trade and industrial program, of cooperative student employment, and the number of students who are being retained is increasing, but there has been a very great percentage of dropout among Negro students of high school age.

Chairman HANNAH. Do you have any observations as to what happens on the same group of Negroes in the integrated school as com-

pared to the separated school so far as their level of performance? Are they doing better or less well than they did when they were separated?

Dr. MILLER. My experience is that they are doing better, and they are recognizing their obligations, and that, I think, is one of the great important results of integration, that they know that they cannot compete with their own kind upon a lower level. They must compete with the white students on a much higher level and a very satisfactory number of them are recognizing that and are applying themselves and I think are indicating that it is a matter of cultural deprivation, of economic conditions, lack of experience in education, that has prevented them from coming in and taking their place.

Chairman HANNAH. On the other side of the coin, do you have any observations with reference to the quality of the work done by the white pupils in the same schools? Are they doing less well than they did before the Negroes moved in in large numbers?

Dr. MILLER. Well, we have, as I say, over the last 4 years developed our grouping program to a point where we classify our youngsters according to performance and scholastic achievement, and those standards are set for each particular track on which the youngsters run. The accomplishment of the average white students is better than it was. The accomplishment of the above average and the advanced placement and honor classes is truly remarkable, and that is part of the program of grouping which we now have.

Chairman HANNAH. In other words, what you are saying is that there has been no diminution of quality resulting from this integration.

Dr. MILLER. We feel it is better.

Chairman HANNAH. One more question, and this has to do with the suburbs. You indicate there is a very large outmigration of whites into the suburbs around Wilmington. Are there any of these suburbs that have Negroes moving into them, too?

Dr. MILLER. There is a tendency for Negro families to get into the suburban areas. However, that has not been too successful. Not too many of them have sufficient economic worth or assets to enable them to move into some of the areas, but in some of the suburban areas Negroes are accepted. Perhaps you read of one just outside Wilmington last week where a family moved into a housing development and were rejected completely, and that is now being fought out by the State police and courts and people in that area. Otherwise, southwest of the city Negroes are acceptable in some of the developments. In others they are not.

Chairman HANNAH. Dean Storey?

Vice Chairman STOREY. No.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Dr. Miller, your experience has been a lot better in Wilmington than in other parts of Delaware, is that correct?

Dr. MILLER. Yes; I believe so.

Commissioner HESBURGH. I mean there are places like Dover that have only very token integration.

Dr. MILLER. Mr. Green is here from Dover, and he can tell you about Dover, but Delaware is a State in which there is great division across the middle of the State. Two southern counties—we are a very small State, as you know—have a southern flavor, as they like to point out, while in Newcastle County, which is our most populous and perhaps wealthiest county, there have been a great influx of professional men, chemists, engineers, working for the large companies there such as du Pont, Atlas, and so on, and there there is a great state of readiness for this as many of them had experience with integration in the communities from which they had come and were ready for it.

In the southern part of the State the situation is entirely different, and the State board of education has requested a plan for desegregation. The NAACP has rejected that and asked for complete desegregation rather than the State board plan which is to begin with the first grade in September 1959. That probably will be tested again in the courts.

It is partly due to the very unusual kind of relationship which our State board has to local units. The State board administers many of them, and as a result of that, there is a confusion, at least in the minds of the lawyers and judges, as to whether it is the responsibility of the local school district to provide a plan of desegregation or whether it is the responsibility of the State board of education, and from that point it is not acceptable.

Commissioner HESBURGH. Your plan is completely worked out by your own school board?

Dr. MILLER. That's right.

Commissioner HESBURGH. You took a lot of time to present it to the members of your own community.

Dr. MILLER. Yes, sir.

Commissioner HESBURGH. Pretty much sold it to yourselves, as I gather from your presentation.

Dr. MILLER. That's right, and I want to point out that we had a very favorable press and radio and television program. We took pains to have everybody represented at hearings. We had reporters present at all of the hearings. They wrote up the objections as well as the

items of support, and so far it has worked very smoothly, up to this point, but the educational problems that we now face represent a very distinct challenge to us in the programing of the school.

Commissioner HESBURGH. This question of the three tracks, does that begin with the beginning of integration, or was that in effect before that?

Dr. MILLER. That was in effect before. The emphasis upon the child of superior ability had been developed over a program which has been in operation 3 years, and just this year we instituted the program of honor classes and advanced placement, but the grouping by performance has been carried on for some time.

Commissioner HESBURGH. What would the relative proportion of Negroes in your community be to the communities within Delaware that only have token integration?

Dr. MILLER. Well, I don't know as I can answer that. It varies. There are some, perhaps, that have as many as we do. There can't be very many. I am sure there are not many school systems that have as many as we have.

I might point out that the Negro school districts in Delaware represent a separate entity in most instances, and they are administered completely by the State board of education.

One of the problems we face in integrating education in Delaware is the combination of the Negro districts with the white districts, something similar to what they had in Washington.

Commissioner HESBURGH. Is your school district one of the few that has had this rather complete integration of faculty? You certainly represent the most advanced integration plan we have had so far.

Dr. MILLER. I would think so.

Commissioner HESBURGH. You have had no ill effect from this.

Dr. MILLER. No; none whatever, We have been perhaps a little more careful than some folks would like us to be in the selection of teachers whom we put into white situations. We have screened them extremely carefully and have not placed a teacher in a situation where she would be likely to fail, both from the standpoint of personality, experience, academic training, and other factors, all have been taken into account, and we have been very successful.

Commissioner HESBURGH. There was one last point that amused me a little when I was reading this whole thing, and that was you felt you got good publicity but not too much publicity and that too much publicity could have hurt you, is that correct?

Dr. MILLER. That is correct, Father. We ran into trouble. We had complete cooperation of the press, there is no question about that, but every time we had a writeup on the front page of the paper, we had trouble through parents wanting to take their children out of the schools. We had requests from a number of prominent national

magazines who wanted to come into Wilmington and write the story, but we rejected it and we feel wisely. The first time it was written up in the New York Times and went on TV, on radio, and you would be interested, I got a letter from a president of a chamber of commerce of a certain city saying that he noticed what Ben Fine had to say, and he was advising all the Negroes in his city to go straight to Wilmington, so that it did have that effect.

Commissioner HESBURGH. If you had to do it all over again, would you proceed the same way as to caution and preparation and education or discussion within the community?

Dr. MILLER. I think we were very fortunate in that steps were taken when they were taken. Because of three incidents there is a feeling of tenseness, and unrest in Wilmington at the present time. The first is that 2 weeks ago a group of Negroes attempted to go into a restaurant, one of the very few that did not serve Negro people. They tried to force their way in, and instead of going in and sitting down and waiting for the manager of the restaurants to make a move, he came up and was pushed by one of the Negro men. He called the police then, and the whole group was charged with assault and battery. That hearing comes up, I believe, in May. The second is this Collins Park incident of last week in which this one Negro family moving in have caused a great deal of difficulty. The entire State police had to come out, and that has caused a great deal of tension. The other is the antagonism to any kind of integration program in most of the two southern counties, and that has resulted in a tenseness and unrest in Wilmington which we are watching with a great deal of care and a great deal of concern. We feel if it were not for that the program which was put into effect 4 years ago, 5 years ago, would have been very, very successful, but I feel that were we to face the situation at the present time, as a result of these other incidents, perhaps we would have proceeded just a little differently, but the program has been very successful.

Chairman HANNAH. Any questions any of the participants would like to ask?

Mr. WADZECK. He made the statement he moved the best Negro teachers to the white schools. I wonder if he moved the poorest white teachers to Negro schools, and if so, didn't that defeat the purpose of trying to raise the standard?

Dr. MILLER. I would say, if the second part of your assumption is true, I would say yes; but we didn't do that. We were careful not to do that. We tried to get the people who would fit into a given situation, and for instance, one of our very fine choral leaders was transferred from our Negro high school into one of our white high schools. He is very successful there. We put a white man in his place in the

Negro high school, and to our surprise he is doing a better job than the one we thought was quite exceptional as a Negro person.

Dr. BRYAN. May I pursue that same line of questioning a little bit? I notice you mentioned that the colored teachers were well accepted, particularly at the junior and senior high school. You mean they were less well accepted in the elementary schools?

Dr. MILLER. No. One of the interesting things was that one of the teachers who was to have an all-white first grade in one of our schools visited the mothers and talked with them and went into the homes, talked to the youngsters and so on. As a result of that, at the end of the first year the parents of those youngsters requested the principal to move that Negro teacher with the youngsters into the second grade, and that has been a kind of experience that we have had in that situation.

Dr. BRYAN. You said you screened the teachers very well. Did you screen the pupils that went into the rooms of these colored teachers?

Dr. MILLER. No. We had Negro teachers in charge of the advanced groups as well as in charge of the slower groups. The assignment of teachers is not based on the ability of the youngsters. It is based on the characteristic of the teacher, on her personality, on her ability to fit in to a given situation, and that is true of white teachers as well as Negro.

Dr. BRYAN. The reason I asked that question, in our school system, at least, and most I have observed, there are a certain number of children who are fractious and have to be controlled one way or another, and sometimes the teacher even has to place her hand on his shoulder and gentle him down a little bit. I have parents sometimes get greatly upset about that and say they don't want any teacher laying their hand on their child, and they describe it as various phases of corporal punishment. Now, then, if that teacher is a Negro and there is feeling against Negroes, is not that cleavage between parents and teacher accentuated?

Dr. MILLER. Well, in Wilmington, and I think largely throughout the State of Delaware, corporal punishment of any kind is forbidden, and no teacher is permitted to lay her hands on any youngster, so that doesn't arise. I might say in answer to your question a little indirectly, that we have employed additional social workers, additional psychologists, additional home visitors, in order to prevent the overflow of conditions in the low-cost housing where there are family incidents that otherwise would come into the school. We have avoided them, but the discipline, in my opinion, is better than it was prior to integration. I think the cooperation of the parents and of the community has resulted in less growth [of the problem]. They are more

alert, they are more aware, the teachers are more watchful about situations that might cause trouble.

Chairman HANNAH. Is there one more last question? If not, thank you very much, Dr. Miller, for that fine presentation.

WRITTEN STATEMENT OF WARD I. MILLER, SUPERINTENDENT, OF WILMINGTON,  
DELAWARE, PUBLIC SCHOOLS

(Article prepared for the 1958 Yearbook of the Middle States Council for the  
Social Studies)

Numerous significant steps toward integration had been taken in Wilmington prior to the decision of the Supreme Court handed down on May 17, 1954.

Over several years before this date, Negro and white students were enrolled in classes for the blind and the deaf; in evening school courses; and in adult education activities. Teachers of both races worked together on committee assignments; they were accepted on an equal status in city and State professional organizations. Pupils of unusual ability sang and played together in citywide choruses, orchestras and bands, without regard to color. Teams representing Negro and white schools engaged in athletic contests in all sports. The annual conference on international relations and the United Nations was organized and conducted by delegates from student bodies of both races.

Some steps had been taken by the city at large, such as the opening of motion-picture theaters to both races. However, the schools were leading the way toward desegregation and integration. Since it was becoming more and more clear that a court decision was approaching, plans for new schools took into account the effect of integration on building locations and probable student enrollments. Three new elementary schools on the east side of the city were organized with desegregation in mind.

All of these measures were approved by the people of Wilmington and New Castle County. As a result, a State of acceptance and readiness had been established by the time of the Court's decision.

Three weeks after the opinion was handed down, the attorney general of the State of Delaware wrote the president of the State board of education as follows: "According to the opinion, we are required to submit briefs by October 1, 1954, for the purpose of assisting the Court in formulating decrees to bring about an effectual gradual adjustment from existing segregated systems to a system not based on color distinction.

"The Court recognized that the decision presents problems of considerable complexity because of the great variety of local conditions. The opinion nullifies our constitutional provision and its statutory counterpart providing for separate but equal educational facilities. The Court announced that segregation is a denial of the equal protection of the laws.

"The opinion is not a self-executing one and does not call for immediate integration. It is possible for any school district, however, where circumstances permit and the situation warrants, to effect integration consonant with the law of the land as now announced by the recent court opinion without doing violence to the constitution and laws of our own State, notwithstanding the fact that the mandate of the U.S. Supreme Court has not yet been handed down."

On June 11, 1954, the State board of education issued a formal statement based on the opinion of the attorney general as given above, authorizing the board of public education in Wilmington to proceed with the development of plans for the integration of the city schools and asking that such measures as are approved be forwarded to the State board for inclusion in the brief to be submitted to the Court before October 1.

At a meeting of the board of public education in Wilmington held on June 21, 1954, the superintendent presented specific proposals regarding integration of the city schools. These were considered with great care and thoroughness. The proposals were studied again at the regular meeting held on July 8, 1954. At this time opportunity was given individuals or representatives of organizations or groups to put forward any statement or materials. A number of persons availed themselves of this opportunity. The proposals of the superintendent and staff and the remarks of individuals were well covered in the press and on the radio and television.

Following the public hearings and a careful review of all questions that had been raised, on August 2, 1954, the board approved the first steps in a plan to



integrate the city schools. For the school year 1954-55, all elementary schools were desegregated. One Negro school was closed, pupils and teachers being transferred to a previously all-white building. Pupils in the Negro high school in grades 11 and 12 could transfer to other high schools if particular courses were desired. Transfers and reassignment of the teaching staff were made as necessary.

For many years the Wilmington schools have had in operation a policy whereby pupils living in one attendance area can request transfer to another school in the city, provided only that room is available. This policy was used effectively in putting into practice the new program of integration. It was thought that many parents, both white and Negro, would request transfer. Such proved not to be the case. Of the many thousands of requests that could have been filed, fewer than 100 were actually received. These were cared for without difficulty. There are some indications now appearing that certain residence restrictions may become necessary, but this problem will be met as it arises.

In September 1955, additional steps were taken. Integration of all seventh-grade pupils was authorized as well as free transfer among senior high schools. Beginning September 1956, the entire plan was put into effect under the same plan of free transfer provided space was available. Thus, over a 3-year period, the Wilmington schools achieved desegregation. As of October 1957, all Negro elementary pupils, some 41 percent of the total number, are attending schools enrolling both Negro and white pupils. In some units only a few boys and girls of one race or the other are found; in others, the figures run to 50 percent of each. The junior and senior high schools are all fairly well-integrated with the exception of the former Negro senior high school. To date only one white student is enrolled in this unit. Of the junior high school pupils, 39 percent are Negro; in the senior high schools, 20 percent. These figures suggest a loss of Negro pupils from the upper grades.

Integration of staff has proceeded gradually. At present one out of six of our Negro teachers is assigned to so-called white schools. Two white teachers work in all-Negro schools. Selection and assignment of teachers are now made without regard to color, except in special situations.

While the Wilmington community had accepted the steps leading to integration prior to the Court's decision, a number of parents and other citizens questioned the advisability of moving so soon toward the implementation of any plan. Many cautioned against proceeding too rapidly. Some advised Wilmington to wait until the program should become statewide. However, only a handful openly opposed the three-step procedure authorized by the board.

On the other hand, considerable pressure was exerted to have the board adopt a complete program at once and to make it effective in September 1954.

Experience has proved the wisdom of the board's decision. Even those who advocated more rapid integration now recognize that the remarkable success achieved is due to careful planning and gradual advance.

Several factors account for the fact that the program outlined in 1954 has been accomplished with so little friction and difficulty.

Most significant of these is public understanding. From the first, the public was taken into the confidence of the board. While individuals as such were not excluded from meetings and hearings, special effort was made to insure that several important organizations would send representatives qualified to speak for them and to discuss in a mature manner the issues involved. The Wilmington Home and School Council, unit chapters of the Congress of Parents and Teachers, the National Association for the Advancement of Colored People, labor unions, church groups—particularly the Friends, and the American Association of University Women, were among the groups invited to meet with the board. Over a period of 3 months, continuous study was given the problems that would be met. This is a short period, but as indicated above, it was felt that a state of readiness had been reached by the majority of the people in Wilmington.

The support of the press and radio was all that could be desired. Reporters, columnists, and radio and television announcers kept the public fully informed and presented arguments both for and against the plans proposed. Full explanation of each step was made as it was undertaken. In special press and radio conferences, held frequently, the administrative staff described the problems met, indicated the questions which were being raised, and benefited from the information given us by the reporters. We are deeply grateful for the assistance given the schools by these men and women.

II. *Distribution of pupils according to race, Jan. 31, 1959*

	White	Colored	Total
<b>Elementary:</b>			
Drew	12	460	472
Elbert	45	490	535
Gray	576	559	1,135
Harlan	863	0	863
Highlands	367	10	377
Lore	845	250	1,095
Palmer	117	118	235
Pyle	34	274	308
Shortlidge	356	0	356
Stubbs	8	812	820
Washington	257	66	323
Williams	603	603	1,206
No. 19	240	0	240
Opportunity	57	9	66
<b>Total</b>	<b>4,380</b>	<b>3,651</b>	<b>8,031</b>
Percent	55	45	100
<b>Junior high:</b>			
Bancroft	13	673	686
Bayard	697	169	866
Warner	747	133	880
<b>Total</b>	<b>1,457</b>	<b>975</b>	<b>2,432</b>
Percent	60	40	100
<b>Senior high:</b>			
P. S. du Pont	1,380	96	1,476
Brown	410	63	473
Wilmington	1,104	158	1,262
Howard	2	437	439
<b>Total</b>	<b>2,896</b>	<b>754</b>	<b>3,650</b>
Percent	79	21	100
<b>Total:</b>			
Elementary	4,380	3,651	8,031
Junior high	1,457	975	2,432
Senior high	2,896	754	3,650
<b>Total</b>	<b>8,733</b>	<b>5,380</b>	<b>14,113</b>
Percent	62	38	100

The support of the city government at critical times was most significant. During the period when disturbances were breaking out in other places, city officials made it clear to all that a firm stand would be taken against those who wished to embroil the Wilmington schools in conflict and racial antagonisms. There is no doubt that this attitude on the part of city government and police officials prevented occurrences which appeared elsewhere.

Careful planning went into each step taken. At meetings of staff members, parents, organization representatives and the board, each point was fully examined. This same watchfulness has characterized the development of the program over the past 3 years. Any incident of unusual character is investigated immediately to determine its causes and the means of preventing a recurrence. As a result, no problem of unusual or unexpected nature has arisen. Alertness of the staff to the dangers inherent in any situation has paid off richly.

Great credit must go to our principals and teachers for the success of the program. Willingness to give up summer vacations, to visit in advance the homes of parents of prospective pupils, to overcome personal hesitation and doubts and to study individual pupils, are responsible for the spirit of understanding and cooperation that has characterized parent-teacher meetings, school programs, fairs and neighborhood activities.

Excessive publicity has been avoided. Numerous papers and magazines have requested permission to write up the Wilmington story and to describe it pictorially. This, we feel, is not in the best interests of what we are trying to do. We have felt we could accomplish much if it were done quietly. The support of many parents would be sacrificed if handled differently.

Of course, many problems are yet to be solved. The programs of urban renewal, low-cost housing and neighborhood change will present difficulties which will demand most careful study and patience. When the time comes that we must tighten lines of attendance areas, it is likely that objections will be made. Differ-

ences in scholastic achievements will require special testing and grouping. Extension of the instructional programs for retarded, superior and physically handicapped children will be influenced by the attainment of full integration.

These matters are but the growing pains of a program that has proved to be so significant for Wilmington. We are confident they can be dealt with effectively.

Mr. Tiffany, will you present the next participant?

Mr. TIFFANY. William Henry Oliver, superintendent of schools, Nashville, Tenn.

Chairman HANNAH. Mr. Oliver.

**STATEMENT OF WILLIAM HENRY OLIVER, SUPERINTENDENT OF SCHOOLS, NASHVILLE, TENN.**

Mr. OLIVER. Gentlemen, your office is aware from previous correspondence that I accepted, with some reluctance, the invitation to appear before this Commission. There are three principal reasons for this reluctance. I should like to state them.

First, and foremost, I feel that any unnecessary airing or publicizing of the desegregation issue in my community at this time is undesirable. The fires of opposition to desegregation in my community have not been extinguished. They are only smoldering. To fan these embers would be foolish, just as it would be foolish to fan the embers under a kettle already still too warm from a flame that has only recently died down. Prudence requires me at the present time to be as quiet as possible.

Second, our case, our plan of desegregation, as you know, is still awaiting judgment in a Federal court of appeals. So long as our case is pending in the appellate court, propriety also, I think, would counsel me to be silent.

The third reason may be a selfish one. I am reminded of a soldier who after he had passed through the bloodiest battle of a terrible war came home on furlough and was asked by his friends to tell them about the battle. He replied that he did not wish to talk about it. I feel somewhat the same way regarding some of our experiences with desegregation.

They have been too full of conflict, too much like a battle, for me to wish to talk about them, even though we may have achieved some degree of victory.

All these reasons for my reluctance notwithstanding, however, believing as I do that this Commission is earnestly seeking for truth, and for information which will lead to the most judicious methods of dealing with the momentous and serious problem of desegregation throughout our Nation, I am here to speak to you as honestly and frankly as I may concerning our experiences with this problem, and I do so in the hope that what I may say will ultimately be helpful to someone else who may find it necessary to grapple with the same, or a similar, prob-

lem. I invite you to ask me any question you please. I shall answer you to the best of my ability.

Before I proceed any further, let me dispel any idea that anyone may have that dealing with the problem of desegregation in the Nashville schools has been a simple or easy, or pleasant task. Nothing could be further from the truth. It has been exceedingly tedious, very painful and terribly difficult. We are thankful that things have worked out as well for us as they have, and we are grateful for what we consider the blessings and guidance of a kind Providence to whom we have constantly prayed and on whom we have steadfastly depended. We are thankful that our children are all in school getting an education, we hope in peace and safety, but we are not bragging. The cost has been too great for this. Since Nashville began to grapple with the problem of desegregation, our most able superintendent has retired in broken health, his eyesight greatly impaired by pernicious anemia. He was old enough to retire, but he should have been able to retire in good health. The chairman of our board of education, a truly great lady, has suffered a severe heart attack, from which she cannot be expected ever fully to recover, and has had to resign from the board of education a year before the expiration of her term of office; and the chairman of the instruction committee, who probably felt more heavily than anyone else the weight of this tremendous problem, has died. Many others among us, including principals, teachers, and other board members, have suffered in lesser ways, but the memory of long hours of labor, followed by almost sleepless nights, disturbed and harassed by insults and threats by mail, by telephone and in person, remind us that it has not been easy or pleasant. And, if we could forget or ignore these personal things, the pictures remaining in our minds of frightened, terrified children; of disturbed, perplexed parents; of angry, menacing, yelling crowds of misled people; of congested traffic; of glaring headlines in the Nation's newspapers; of almost empty classrooms; of a beautiful modern school building blasted by dynamite—these and many other things remind us that the initiation of desegregation in the Nashville schools was not a simple matter. Furthermore, we know that the job is not done. We have only a little more than begun it.

Please believe me when I say that to desegregate the public schools in a city like Nashville is no small matter to be taken lightly or to be dealt with carelessly. Nor can one hope to solve quickly all the problems involved. It will take years—perhaps many years.

What are the principal problems? I should say that the one big problem is that the mixing of the races in the public schools is contrary to the will of a majority of the people. Among some peoples this fact might be of little consequence, but in a community such as ours, it cannot be ignored. It is a part of our idea of government of, by, and

for the people that the will of a majority of the citizens in any community should be respected. It has been drilled into our thinking for generations. It seems to us a part of the American way of life. We are accustomed to settling issues by the ballot or through our elected representatives and it is difficult for us to accept a directive from a Federal agency in a matter which we regard as being properly under local, or at most State, jurisdiction. Right or wrong, this, I think, is the way the majority of our people think and feel.

It might be helpful for me to describe a bit further, the thinking of our people as I interpret it. Of course, there are some in both races who desire complete integration of the races and who think that this should be accomplished as quickly as possible by whatever means may be necessary. I do not believe, however, that very many Nashvillians of either race hold to this point of view. In my opinion, most of our responsible Negroes simply want to be good citizens just like everyone else. They are not interested, I think, in complete integration, nor do they desire it. They want equal rights, privileges, and opportunities, and equal protection before the law, and who is there to say that they are not entitled to these? But, they do not desire to merge into one mongrel race. Many of our Negro citizens are proud of their heritage and their race, and well they might be.

There are many, very many, people in our community who disagree with the interpretation which the U.S. Supreme Court has given to the 14th amendment. These are not all just people on the street. They include many professional people, even some of the best legal minds in our city. There are others who contend for what they are pleased to call States rights, and who feel that this principle has been inexcusably violated by the Federal Government. There are some who honestly feel that the whole integration issue is Communist-inspired and that behind it is a deliberate effort on the part of our international enemies to confuse and divide the American people. No one can deny that some of the byproducts of forced desegregation have been such as would please our enemies, for they have caused dissension, violence, hatred and confusion among us. It is equally obvious, however, that the influence of good, sane, level-headed, law-abiding citizens of both races has been strong enough to hold our people and our community together.

I have implied that in the thinking of our people lies our greatest problem. I should like to add that in the thinking of our people lies also the principal key to the solution of our problems. Our people, as a whole, stand for law and order. They are opposed to violence. They want an education for their children; and, laying aside in many cases their own personal opinions and disagreements, they have loyally supported their city officials, their police department, their board of education and its administrative officers, their teachers and school prin-

cipals. The respect of the people of Nashville for properly constituted authority, along with their determination that law and order should prevail in their community, has been a beautiful thing to see. If I may say so, I am proud of my people and of our city. The moral support of the good people of Nashville of both races has given encouragement to those of us who have been in positions of responsibility and has enabled us to do our duty. I believe that without their confidence and their prayers, we should have failed utterly.

We have tried to meet the issue of desegregation squarely. There was no way to evade it. We have dealt with our problems seriously; deliberately, sometimes laboriously. We have tried to give a maximum of consideration to the will of our people, especially our parents; we have carried out the directives of the Federal court in good faith. We have tried to be honest and fair. We have tried to deal with every individual child and adult according to the principles of human relations laid down by Jesus of Nazareth. We know no better way. We have tried to keep the interests of the children foremost in our thinking and in our planning. As to how successful we have been, we leave it to others to judge. At any rate, our children are all in school, and are, we believe, achieving normal success in their studies.

I should like, in conclusion, to emphasize, though I may seem somewhat repetitious, the following points:

How much time have I?

Mr. TIFFANY. One minute.

Chairman HANNAH. Go ahead. Finish your statement.

Mr. OLIVER. There needs to be, in my opinion, extensive background for desegregation before it should be attempted in a community such as ours. We had this background in Nashville because of the fact that our white and Negro teachers had been working together for a number of years before the U.S. Supreme Court rendered its decision in May 1954. Furthermore, all our teachers, both white and colored, were on the same basis so far as preparation, experience and salary are concerned. The fact that Nashville is one of the world's leading centers of education and culture for Negroes also helped to provide this background. I am referring particularly to Fisk and Meharry, as well as to our State Agricultural and Industrial College for Negroes.

2. Following the decision of the Supreme Court in May 1954, we made a great effort in our school system and in our community to prepare for meeting the problem of desegregation. There were numerous conferences involving our principals of both races, our supervisors and our teachers. All our teachers, both white and colored, met together to discuss these problems. We brought in specialists in human relations and we held one inservice training program dealing exclusively with this particular subject.

3. Our board of education realized and admitted from the outset that local and State laws must yield to the decisions of the U.S. Supreme Court. There was some disagreement with the decisions of this court, but there was never any question as to whether we were bound to respect these decisions.

4. We had a board of education composed of men and women of courage and good judgment who remained at their post under terrific pressure and criticism, resolved to do their duty as they saw it.

5. We had as our superintendent a man of exceptional educational and administrative stature, a man of integrity, courage, and good judgment. I refer to Mr. W. A. Bass, whom I succeeded in office on January 1, 1958.

6. We formulated our plans with exceeding care. It was after a tremendous amount of serious consideration that our board of education finally decided that the best place to begin desegregation was in the first grade and that the best way to accomplish desegregation of the whole school system was to do it one grade and one year at a time. Even with all our careful planning and with the background which had been established in our community, we had an extremely difficult time when we finally got to the point of permitting Negro children to attend school with white children.

7. We have followed, I think, with scrupulous honesty and with a persistent effort to be fair, the plan approved by the District Federal Court for abolishing segregation in our schools. There has never been, so far as I know, any accusation of gerrymandering in our zoning. Most of the job of zoning was done by our principals, with white and colored principals working together.

8. Another most important part of our plan for desegregation is that parents, themselves, are given, as far as is reasonably possible within the law, an opportunity to choose what they think is best for their own children. I refer to our transfer system. We have granted 100 percent of the requests for transfer which we have received both from white parents and also from colored parents. We have denied about three requests for retransfers, but we have granted every single request for original transfer that has come to our office.

9. Our principals and teachers began the job of desegregation fully determined that they would be reasonable and fair and considerate toward every child and every parent involved. They have persistently adhered to this resolution and, as yet, I have not had one single complaint from any parents, either white or colored, I believe, as to the way in which our principals and teachers have dealt with the individual students and parents involved. This is a matter of extreme importance and has affected greatly the smoothness and lack of friction with which desegregation has been accomplished up to the present time.

10. We had the support of a loyal police force and a strong mayor who stood strictly for law and order. Without the support of our police department and our mayor, we could not have established desegregation in our schools. The mobs which made their appearance at the beginning of school in September 1957, would, in my opinion, have closed down very soon all the schools in our system, one by one, had not our police department established itself as a strong law-enforcement agency. Back of our police department was, of course, our mayor who can hardly be praised too highly for his steadfast assistance. He was not only involved in the fine work of the police department, but he was also instrumental in helping us to get an injunction through the District Federal Court. Referring further to the injunction granted us by the District Federal Court, let me say that this was an absolute must. Without it, I doubt that our police department, as fine as it was, could have handled the situation.

11. We had the wholehearted support of local courts. When members of our police department arrested members of the antidesegregation mob for violence or disorderly conduct or on similar charges, our city judge assessed penalties with promptness and effectiveness. This was most helpful to us.

12. We had the support of many religious and civic organizations in Nashville, as well as that of private citizens of both races, in our effort to carry out the directives of the Federal Court. Even men who were, in their private thinking, strongly opposed to desegregation supported us wholeheartedly in our effort to maintain law and order and to comply with directives given us by proper legal authority.

13. We had support and assistance from the local press, radio, and television agencies. One of our local daily newspapers supported us wholeheartedly. The other could hardly have been said to be altogether wholehearted in its support of our plan for desegregation, but both papers strongly opposed violence and lawlessness.

14. We had exceedingly competent and diligent legal counsel from the beginning. Mr. Boulton and Mr. Hunt are among the best attorneys in our city and, at every turn, we were, I think, most fortunate in the counsel which they gave us and in the manner in which they presented our cause before the courts.

15. I must not overlook the Judge of the District Federal Court, Mr. William Miller. I had not known Judge Miller before our desegregation problems arose and, so far as I know, I have not seen him, even once, outside of Court. I have never had a private, personal conversation with him at any time. I have been deeply impressed, however, with the hearing which he has consistently given to all matters presented in his court on both sides of the desegregation problem. I consider him a judge worthy of the name, and I think the thoroughness



and fairness with which he has dealt with our problems must not be overlooked.

Finally, what changes would I advocate in our plan if we had to do the job over again? I should say, "None whatsoever." I believe that the plan which we are following is the best that could have been devised for Nashville, Tenn. I only hope that the appellate court will have the same opinion.

Thank you so much.

Chairman HANNAH. Thank you very much.

Mr. OLIVER. I apologize for going overtime. I am sorry.

Chairman HANNAH. That is a good report. Mr. Oliver, I think in the material I read which you sent in in advance there was some indication that you had 10 first graders last year, and I missed it if it was in the information as to how many students, Negro students, you had in the formerly white schools this year.

Mr. OLIVER. We had 14 in the second grade and 20 in the first grade this year, and we had them in 2 more schools. Last year we had them in five. This year we had them in seven, and I made a mistake in reporting to your office and reported six. They were in seven really.

Chairman HANNAH. Thank you very much.

Dean Storey?

Commissioner STOREY. Nothing.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. It seems to me the great asset you had here in Nashville was good leadership and good planning. Would you say you agree with that?

Mr. OLIVER. Yes; I do.

Commissioner HESBURGH. And a lot of courage.

Mr. OLIVER. I think the people had confidence in our leadership.

Commissioner HESBURGH. I think anyone listening to that story which you told so graphically and dramatically and interestingly could visualize a similar situation in another part of the country where, were it handled the same way as here, would not have caused a national scandal. At least that occurred to me as I listened.

I only had one question. What percentage of the Negroes eligible for integrated schools are choosing Negro schools by their own preference?

Mr. OLIVER. Let me see. Last year we had 115 Negro first grade students eligible to go to what I shall call the white schools. Of

those 105 asked for transfers to what I shall call their own schools, about 90 percent.

Commissioner HESBURGH. Would it be about the same this year?

Mr. OLIVER. About the same.

Commissioner HESBURGH. Thank you very much.

Mr. OLIVER. It is just a little less this year. If I may, Chairman Hannah, I will give a few of the reasons why I think this is a good plan for us.

Chairman HANNAH. We would be very much interested.

Mr. OLIVER. I can do that in a minute. Why do we consider this plan the best for us? It will give the least occasion for friction among students. It will give parents the greatest freedom in looking after the interests of their own children. It will lessen the likelihood of problems peculiar to teen-age boys and girls. It will be most nearly acceptable to the community, and it will minimize adverse educational effects resulting from heterogeneous grouping.

Those are some of the reasons why we think this is a good plan for us.

Chairman HANNAH. Just one more question. These 10 youngsters that were in the first grade last year, are they still all in the white schools? Are all 10 of them still there?

Mr. OLIVER. Eight of them, I believe, are still there. One of them withdrew last year before the end of the year, not because of any racial consideration, but just because the child was immature. I suppose that that child is back in the first grade this year.

One of the little Negro first graders from last year transferred to a school of her own race because the parents felt that she was very smart and capable of being a leader among her fellow students and that she would have a better chance with other students of her own race.

The other eight, I think, are in the second grade this year and doing well. They have all done well in school, and I haven't noticed any effect one way or another on the educational success of the children, either white or colored, where they are together. Of course, they are just in first or second grade.

Chairman HANNAH. Any questions that any of the participants would like to ask? Mr. Bryan?

Dr. BRYAN. Sitting right here close to me, this question may have a little emotion in it, but I feel compelled to ask it. Do you feel or is it the feeling in the South that school integration will inevitably lead to this "mongrelizing" of the race; and secondly, if you do feel that way, do you think it is within the realm of human destiny that our race is going to be mongrelized? Would it not come about by school integration?

Mr. OLIVER. I wonder what kind of emotion he thought was going to be stirred when he asked the question. I didn't know whether it was serious or otherwise. That is a good question.

I would say that there are people, quite a good many people, who do really fear mongrelization of the races, but I believe that a majority of the southern people do not fear that. That is my honest opinion, and as to whether it is going to happen anyway, whether or no, I just don't know.

Chairman HANNAH. Any other questions that any of the participants would like to ask?

Dr. MILLER. I would like to ask Dr. Oliver, what are the elements in the situation that will develop successful integration 5 or 6 or 7 years from now in junior high schools or 10 years in senior high schools because of the fact that you are beginning in the first grade?

Mr. OLIVER. That is a good question, too. I hope I can answer it. We think that by starting in the first grade the people become a little more accustomed to it before the more serious problems arise. We think that the students become accustomed to being with one another more easily and more smoothly if they start in the lower grade, and we think that if there are to be any changes, if we can make some improvements, if circumstances indicate that there needs to be some modification in their plan, we will have more time to think about it, more time to plan for it.

We think it is a tremendous job and that we can feel more sure of success if we start it slowly and start it at the spot where there is less likely to be trouble. Does that answer satisfactorily?

Dr. MILLER. Well, you answered it; yes, sir.

Chairman HANNAH. Was there another question?

Mr. WADZECK. I didn't want to ask the gentleman who made the statement a question. I wanted to support his comment. Possibly the gentleman from Delaware doesn't know a lot of people in this area think in terms that they will shoot any child of dark complexion that enters a school with their child. I know I have a lot of kin-folks that live here, and even though I don't know the superintendent and haven't discussed it with him, I know what his problem is.

It is very serious. I think it is a very good presentation.

Dr. MILLER. May I say one comment on that. It is my experience in reading about this and talking to people about it, the problem does not rise from unwillingness of young people, boys and girls, to get along. What steps will you have to take to have parents change their attitudes as this thing progresses?

Mr. OLIVER. Well, we think that the years and the fact that boys and girls will have been together without any trouble among them will influence the thinking of the parents, and I think you are right in your feeling that the trouble, the objection, is on the part of par-

ents more than on the part of children. Even teenagers have a much more liberal attitude toward desegregation than older people have, in my opinion.

I agree with you on that point.

Dr. PULLEN. Mr. Chairman, I should like to ask a question preparatory to one I may ask later on. I would like to ask this question of Dr. Miller. Has the purpose of desegregation been accomplished if there is a flight from the realities of the situation? In other words, if you have desegregated and yet your white people move away from it, what have been the results? Are they worth while?

By the way, please treat this as a question and not a position.

Dr. MILLER. I think the situation in Wilmington is much as Dr. Hansen described this morning. This migration out of the city of Wilmington began before integration ever was attempted, this changing character in the inner city where the lower economic levels are staying in the city. Those with upper economic ability move out. I don't know that the two are definitely related with a very high correlation.

Dr. PULLEN. Then you would not think economics had anything to do with the racial situation.

Dr. MILLER. I think it has a great deal to do with respect to the mobility of people and also the fact that in Wilmington a number of Negro families have the ability to buy better homes.

Dr. PULLEN. What is the inevitable result?

Dr. MILLER. You mean in Wilmington?

Dr. PULLEN. Anywhere, a similar situation. I am not taking issue with you. This is deadly serious.

Dr. MILLER. I hope it would be an acceptance and willingness on the part of everyone to live with his neighbor. I don't mean to engage in a great deal of debate. I am not debating the question of social intercourse and all, but I believe if the Negro people have the right to improve themselves economically and to live in better homes, that they should be permitted to do so and not be held back or deprived of living in a given community.

Dr. PULLEN. Now, haven't you got right down to the heart of the whole matter, that desegregation is a thing of the spirit rather than merely conforming to the dictates of courts or the tempers of judiciary or the desires of politicians, and therefore, is not the inevitable, or rather, the only way by which you are going to accomplish the kind of relationship for the future that you desire—I am a little mixed up on that, but I wanted to say, do not the people involved, both white and colored, have to sit down together and agree upon a procedure whereby they can accomplish this thing which is recognized to be fair and legal and so on, but beyond the mere dictates of the law.

Dr. MILLER. I agree with you, and I agree with what Dr. Hansen said this morning is of greatest importance, and that is, the schools cannot use integration as a means of diffusing cultural activities and habits.

Dr. PULLEN. I might want to pursue that a little bit further, Dr. Hannah.

Chairman HANNAH. Governor Battle, did you have a question?

Commissioner BATTLE. I was just a little interested in these statistics with reference to Nashville. It seems, according to our information, in 1957 there were 32 all-white schools. In 1958, 32 all-white schools. What schools were the Negroes admitted to?

Mr. OLIVER. That couldn't be right.

Commissioner BATTLE. Could you correct that?

I would like to have it accurate.

Mr. OLIVER. We have 32 schools that we might call white at the present time, either altogether or predominantly white, but there are Negro students in 7 of those schools.

Commissioner BATTLE. Negro students in 7 of the 32?

Mr. OLIVER. That is right.

Chairman HANNAH. Are there any other questions?

Commissioner HESBURGH. Could I ask one more?

Chairman HANNAH. This will be the last one.

Commissioner HESBURGH. All right. Is there any chance of this free choice leading to intimidation of Negro parents so that they are pretty much given to understand they should not freely choose to go to a white school even if they want to?

Mr. OLIVER. No, sir; I don't think so. We make every effort to give the parent an opportunity to choose without any intimidation from one group of extremists or without undue pressure from the other group. We don't release the names or addresses of the children or their parents. I don't believe—at least there is as little danger as we can arrange for in that particular.

Commissioner BATTLE. Pursuing that a moment further, what has been the history of the white students in the schools to which Negroes have been admitted? Has there been any dropping off in the white students, transferring to other schools?

Mr. OLIVER. No, sir; practically none. We had one family that moved last year because there were Negroes in the school that his child would have attended, but as far as I know, just that one.

Now, at the opening of the school in 1957, of course a great many students were kept out of school for a few weeks, but after that passed over, the students went to the schools which they otherwise would have gone to, practically all of them.

Commissioner BATTLE. Did not apply for admission to other schools?

Mr. OLIVER. That is right. I believe one family did.

Commissioner BATTLE. Thank you.

Chairman HANNAH. Thank you very much, Mr. Oliver.

Mr. Tiffany, will you present the next participant?

Mr. TIFFANY. Dr. Jack F. Parker, principal of Webster Junior High School in Oklahoma City, Okla.

**STATEMENT OF DR. JACK F. PARKER, PRINCIPAL, WEBSTER  
JUNIOR HIGH SCHOOL, OKLAHOMA CITY, OKLA.**

Dr. PARKER. Mr. Chairman, members of the Commission, we feel that we have been very fortunate in Oklahoma City in the desegregation efforts that we have made. I have felt all along, as I listened to Mr. Oliver describe his experience in Nashville, that we have been even more fortunate than I thought before.

In Oklahoma we have had, as Mr. Harris pointed out this morning, a rather unique situation in that there have been two school systems from the standpoint of financing at the State level. This had resulted in Oklahoma City Negro schools—the separate schools, as we called them at that time—being well financed and probably the facilities were equal to or perhaps in some cases of better quality than the white schools. However, the people of Oklahoma, as has been also pointed out this morning, have an attitude of acceptance so far as the Supreme Court decision is concerned, an attitude of wanting to conform to whatever is the law of the land. Therefore, after a 1-year period of preparation, the Oklahoma City schools announced a plan of desegregation in August of 1955.

The plan is a fairly simple and typical plan in that there were two district plans in the city; that is, there were district plans for Negro students or schools and district plans for white schools.

The districts were redrawn so that they conformed pretty largely to the geographical patterns within the community, following the same lines of reason that had been used in the past for establishing district lines for schools.

There were a number of schools, when the districts were redrawn, in which there would be students of both races in attendance. A liberal transfer policy has been in effect in Oklahoma City for a good many years, long before the session or the Supreme Court decision on segregation. Therefore, it was not difficult to continue this policy and make it possible for students to transfer where there was a desire indicated.

This policy has been such that those who were in schools where their race was not predominant were given the opportunity to transfer to a school in which their race was predominant. Transfers have also been granted on a 100-percent basis wherever they have been applied for. In some cases the reasons given were transportation, convenience,

and so forth, and these reasons have been accepted for transfers for many years in Oklahoma City.

One of the things that has made it easy in Oklahoma City is that the community had desegregated in a number of areas even before the Supreme Court decision: transportation, public parks, facilities of various kinds had been desegregated before integration of the schools, desegregation of the schools.

The Negro population in Oklahoma City is rather small percentage-wise, about 8 to 9 percent in the general population and somewhat more than that in the school population, probably for the same reasons that have been pointed out in the other instances in which this has occurred. The Negro population has been concentrated pretty largely in certain sections of the city, which means that a great many of our schools are still either all-Negro or all-white. We now have, as of this year, of the 91 schools in Oklahoma City 3 secondary schools in which both races attend and 5 elementary schools, and we have 2 all-Negro schools, and the remainder are all-white schools.

Teacher integration has proceeded very slowly. This year for the first time we have integrated faculties, limited integration in one elementary school and one secondary school. We have had extremely good relations with the press in Oklahoma City. They have been a help rather than a hindrance in desegregation activities.

I am not sure that there is much more that I can give without questions concerning specific incidents in Oklahoma City. Our experience has been very good in general.

Chairman HANNAH. How many Negro teachers do you have in your Oklahoma City schools?

Dr. PARKER. I can't give you the accurate figures. The number of Negro teachers has not decreased since we have desegregated, and the percentage would correspond pretty largely to the percentage of students. We have around 2,000 teachers, and although I can't be accurate in my figures, I am sure that we have about 10 percent Negro teachers.

Chairman HANNAH. And these teachers are comparably trained?

Dr. PARKER. That is right. Many of the teachers in Oklahoma, Negro teachers, received their undergraduate training in separate institutions, segregated institutions, and their graduate training in integrated schools. The University of Oklahoma has been integrated since 1950, I believe, and much of their graduate training has been at the university and other integrated schools in Oklahoma.

Chairman HANNAH. When were the first Negro pupils put in the white schools?

Dr. PARKER. 1955.

Chairman HANNAH. So that is the—

Dr. PARKER. Fourth year of integration, of desegregation.

Chairman HANNAH. Do you have any observations with reference to the quality of the work being done by the Negro students that are now in white schools or on the other side, the quality of the work done by the white students in the schools where there are now Negro students as compared to before?

Dr. PARKER. Yes. As you can see, I am substituting for Dr. Barnes, who is the superintendent, and I am the principal in a desegregated school, and the first school in which we have had an integrated faculty. We have had the same experiences that have been indicated heretofore; that is, that the Negro pupils are more concentrated in the lower ability levels.

However, we feel that in our school in particular, where there has been a very great change in the student population during this 4-year period, that we adjusted rather well. We feel that we do maintain different ability groups, and we feel that the standards so far as achievement is concerned have been maintained. There are certain kinds of problems that have arisen with regard to the educational program that we are still in the process of adjusting to, but I think we are making progress.

Chairman HANNAH. As the principal of a school where you have some Negro teachers, do you find that there is any substantial unwillingness to accept Negro teachers on the part of the white student?

Dr. PARKER. I should clarify this some. Our integration of faculties has proceeded slowly and cautiously, and the number of contacts between white students and Negro teachers is quite limited. In our staff the use of Negro staff members is mainly as counselors. In the elementary school in which we have integrated faculty they have been used for specific purposes. We have taken the point of view that we should use teachers, Negro or white, in a given situation who are best qualified to do the job in whatever the situation is, and we have not made an effort, just for the sake of desegregation to place Negro teachers in schools that are predominantly white or to place Negro teachers in situations where they will necessarily teach white students.

Chairman HANNAH. This morning when we were learning about the situation in Muskogee, there was some reference made to the fact that there were a substantial number of Negro teachers in Oklahoma that had been disadvantaged as a result of the desegregation. Do you have any comments on this at all?

Dr. PARKER. I think this is undoubtedly true throughout the State. It does not happen to be true in Oklahoma City. I think that probably the percentage of Negro teachers that we have is perhaps a little less than the percentage of Negro students. This is because we have white teachers teaching in schools where there are a number of Negro students and have not integrated fully, but our school system has expanded so rapidly that there has been no reduction in the Negro



teachers, but there undoubtedly have been vacancies that have occurred that have been filled with white teachers that might have been filled by Negro.

Chairman HANNAH. Are there any substantial number of Indians in Oklahoma City?

Dr. PARKER. Probably about 6 to 7 percent of the population is Indian. It is not great, but there are some.

Chairman HANNAH. We asked about Muskogee, and the answer was there was no discrimination in regard to Indians.

Dr. PARKER. There never has been any discrimination in Oklahoma City, and I don't think in Oklahoma with respect to Indians. There are Indian teachers on the staffs of many schools. In fact, actually when you say "Indian," I hope Mr. Harris will agree with me on this, a very large percentage of the people in Oklahoma have some Indian extraction, so it is very difficult to draw a line. There certainly has been, as Mr. Oliver called it, a mongrelizing so far as the Indians and the whites are concerned in Oklahoma.

Chairman HANNAH. Of which the mongrels are very proud.

Dr. PARKER. That is right.

Chairman HANNAH. One final question. As a principal you are in a position where you have to deal with disciplinary cases. Has the presence of the Negro students in your school presented any unusual disciplinary problems?

Dr. PARKER. There isn't any question but what I would verify what has already been said, that discipline problems certainly are different in dealing with the children who are coming to our school who are of the Negro race. I am of the opinion, as others have indicated here, too, that this is not due to the fact that they are Negroes, but because they have been deprived in their home environment and in various other ways so that they offer more of a problem from a disciplinary standpoint.

However, our problems have not been great enough that we have not been able to deal with them effectively. We have not had some of the problems, at least, there has been publicity about in some of the other school systems. I certainly do not believe that the disciplinary problems are greater now than they were before the schools were desegregated.

Chairman HANNAH. Dean Storey, do you have any questions?

Commissioner STOREY. Dr. Parker, as I understand, prior to the 1954 decision your State laws prevented integration, did they not?

Dr. PARKER. That is right; constitution provided that.

Commissioner STOREY. And then after that there was a constitutional amendment that permitted it, isn't that correct?

Dr. PARKER. That is right.

Commissioner STOREY. And do I understand that your Governor at that time took a great leadership in advocating the approval of the constitutional amendment or the repeal of the other one? Is that correct?

Dr. PARKER. That is right. I think that is one of the reasons that integration has been successful in Oklahoma in general—the fact that at the State level the legislature and the Governor both in all cases indicated a desire to comply with the Supreme Court decision and desegregate the schools. There never has been, in my opinion, the strong feelings about maintaining separate schools in Oklahoma that apparently exists in many of the Southern States, and the people were ready and willing to comply. It was merely a matter of mechanics, of changing the constitution, of changing the law so that a unified school system could be developed.

Commissioner STOREY. Didn't you in Oklahoma City enact a special transfer law or rule to take care of this situation?

Dr. PARKER. We have not enacted any particular special laws or rules. We have had this transfer policy, sort of an open door policy as somebody—I think Dr. Miller—indicated for Wilmington. This, the policy of the board of education, has always been——

Commissioner STOREY. It is a board policy then, is it?

Dr. PARKER. That is right, board policy; that any given student could attend a school which seemed best for the student, and in some cases the programs have been different in different schools, and for various other reasons there have been transfers granted.

There has always been a liberal transfer policy in Oklahoma City.

Commissioner STOREY. Thank you.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. Nothing.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. No.

Chairman HANNAH. Are there any of the participants who have questions they would like to address to Dr. Parker?

Mr. ROGERS. May I ask a question?

Chairman HANNAH. Mr. Rogers is chairman of our Advisory Committee in Oklahoma to this Commission. Go ahead, Mr. Rogers.

Mr. ROGERS. Mr. Parker, I take it that the abolishment of the special levy for separate schools for Negroes, the effective change of policy as a result of that amendment, did not bring about any savings in your institution to speak of; that is, Oklahoma City schools.

Dr. PARKER. There is an indication in the report here that there has probably been a slight decrease in the cost in Oklahoma City, but it would amount to less than 1 percent.

MR. ROGERS. One further question. The Office of the State Superintendent of Public Construction showed that during the last 4 years there has been abolished in Oklahoma 61 high schools, 94 elementary schools, and 8 junior high schools. Now, in those areas it would bring about a saving, wouldn't it?

DR. PARKER. That is right. In Oklahoma City we have had some rather striking shifts in population that have resulted in elimination of some schools and adding of others, as most larger cities do, and we have also had some very rapid changes in the student populations of schools from all-white schools to predominantly Negro schools.

CHAIRMAN HANNAH. Mr. Rogers, see if I understand the statement you made, that the desegregation of the schools has made it possible to close entirely something like 160 schools in Oklahoma?

MR. ROGERS. As of November 12, 1958, according to the records of the Office of the State Superintendent of Public Construction. I will repeat: 61 high schools, 8 junior high schools, and 94 elementary schools, and I would like to add, as a result of that program there were 344 Negro teachers who lost positions.

COMMISSIONER BATTLE. May I ask Mr. Rogers, do you attribute the closing of all of those schools to integration?

MR. ROGERS. Yes, sir; practically all of them.

COMMISSIONER BATTLE. In my State they are consolidating schools, and although we have up to now very little integration, we are closing a great many schools. Is that the case with Oklahoma?

MR. ROGERS. Some schools will close so far as consolidation is concerned, but by and large these schools were closed as a result of shutting down small high schools in the State of Oklahoma; they transfer the students to white high schools in county seat towns and smaller communities.

CHAIRMAN HANNAH. When we say there are 300 Negro teachers that are out of jobs because of desegregation, it is possible that there are also a substantial number of white teachers out of jobs, is that true?

MR. ROGERS. I wouldn't be able to answer that question. The Negro teachers more nearly are 350 than 300. The records show probably not more than 20, if that many, Negro teachers have been placed into the integrated schools, given positions in integrated schools.

MR. HARRIS. Because of increased population the white schools have been able to absorb most of the losses but have not been able to absorb the Negro teacher who has lost his job.

DR. PARKER. Probably our greatest problem in Oklahoma has been the matter of teachers, integration of teachers, making it possible for Negro teachers to teach white children. This has been, I would say, in my opinion, the reason that there has been some disadvantage to Negro teachers in Oklahoma getting jobs.

Chairman HANNAH. Oklahoma as a State has not been gaining greatly in population in recent years.

Mr. HARRIS. Not in the rural areas where these schools are closing down, but the larger, the urban areas have been increasing in population. Therefore the teachers in the small rural schools have been drifting toward either the larger schools of the white races or have been leaving our State, going to California and places like that and picking up jobs.

WRITTEN STATEMENT OF MELVIN W. BARNES, SUPERINTENDENT,  
OKLAHOMA CITY, OKLA., PUBLIC SCHOOLS

Desegregation of the schools was given approval by the Governor of the State, the mayor of the city and the Oklahoma City board of education. Through favorable newspaper publicity and with the wholehearted cooperation of city officials, integration was initiated in the school year 1955-56.

A great deal of ground work was done by community leaders in religion, business, professions and the schools. The PTA played an important part in helping with desegregation by talking to parents of many students and explaining the desegregation plans for the schools.

The Negro population in Oklahoma City is fairly well-concentrated. Our population is stable, law abiding and unfettered by tradition so we were able to initiate desegregation in 1 year with a remarkable smoothness and satisfaction to those directly concerned.

The school administration studied the problems that would result by abandoning segregation and worked with plans for placing boundaries between Negro and white schools just as they placed them between the various white schools. Many of these boundaries placed some white children within the boundaries of what was largely a white school. These boundaries were placed as reasonably as possible. Transfers of Negro children were allowed, in a predominate white area, to a Negro school if they desired. Also white children received transfers from a school which was largely Negro to other schools to the extent that the existing school facilities would permit such transfers.

From the administrative standpoint, we were faced with the problem involving the operation of schools. Since the statehood of Oklahoma the Negro schools were financed separately from the white schools. They were financed as well or better than the white schools. The Oklahoma City board of education worked with the State attorney general to clarify the problems regarding Negro school finances. The State educational leaders worked with legislative leaders in order that proper legislation could be developed which would alleviate the conflict in laws and practices.

Through the period of transition, the teachers were more than willing to make integration successful. There was no visible conflict among the children in the classroom or on the school grounds. Those who wanted to work or play with children of another race did so, others paid no heed to the children of a different race.

During the first year of integration, the teachers felt there was little or no change in their academic program. In the succeeding years as the number of Negro children increased, the socioeconomic level represented dropped and the total class size rose. More classroom time had to be spent in developing desirable behavior patterns such as acceptance of responsibility and emotional stability. The instructional program was aimed to meet the needs of all students in an effort to best educate and guide each individual to find his place in life.

There were no separate groups as far as classes were concerned, and all the students were distributed or assigned to different classes and teachers.

Negroes were accepted in the organizations and clubs of schools and on athletic teams. The parents of Negro students were accepted in the PTA and various parent-club organizations.

Children were classified into homogenous groups as nearly as possible. Standards were adjusted to the pupils' ability and background. We made these standards as high as possible. We feel that we must keep our standards high if integration is to help the Negro pupil go to better and higher educational achievements.

Out of the 91 schools in Oklahoma City, 5 elementary and 3 secondary schools are integrated. Two elementary schools which were formerly white schools are now all Negro elementary schools. One secondary school has an integrated faculty. One elementary school has an integrated faculty. The central supervisory staff is integrated. A Negro science teacher often teaches on television.

#### STATEMENT CONCERNING INTEGRATION

#### OKLAHOMA CITY PUBLIC SCHOOLS—1955-56

All will recognize the difficulties the board of education has met in complying with the recent pronouncements of the U.S. Supreme Court in regard to discontinuing separate schools for white and Negro children. The board of education asks the sympathetic cooperation and patience of our citizens in its compliance with the law and making the changes that are necessary and advisable. This action requires the Oklahoma City board of education to change a system which has been in effect for centuries and which is desired by many of our citizens.

Boundaries have been established for all schools. These boundaries are shown in a map at the school administration building and maps are being distributed to each school principal. These new boundaries conform to the policies always followed in establishing school boundaries. They consider natural geographical boundaries such as major traffic streets, railroads, the river, etc. They consider the capacity of the school. Any child may continue in the school where he has been attending until graduation from that school. Requests for transfers may be made and each one shall be considered on its merits and within the respective capacities of the buildings.

Approved by the Oklahoma City Board of Education—August 1, 1955, resolution No. 286.

Chairman HANNAH. Any further questions?

If not, since we are a little ahead of schedule, suppose we take a 5-minute break, and we will start again at 3:25.

(Short recess.)

Chairman HANNAH. I don't like to be a commanding taskmaster, but the secret of staying on time is to keep on time, so we will proceed with the conference.

Mr. Tiffany, will you present the next participant?

Mr. TIFFANY. Mr. Ben L. Smith, superintendent of schools emeritus, Greensboro, N.C.

#### STATEMENT OF BEN L. SMITH, SUPERINTENDENT OF SCHOOLS, EMERITUS, GREENSBORO, N.C.

Mr. BEN L. SMITH. Mr. Chairman and members of the Commission, first of all I should like to clarify certain items in the staff summary. The Greensboro school district is not coterminous with the city limits. When the population of Greensboro in 1950 was 74,000, the population of the school district was 85 to 90,000. The city limits have, during the past year, been extended, and the population of the city is now estimated at 115 to 120,000. It did not change the school district lines, and some of the city is outside the school district, and some of the school district is outside the city.

In the second place, about the selection of the board, that has carried over from previous days. There are seven members of the board of education. Six of them by the original charter are appointed

by the city council of Greensboro, and because of that outside territory, the county board of education appointed one member of the board.

At the present time there are six white members and one Negro member of the school board.

On the present acceptance of desegregation, the answer to that, I think, may be a little misleading. The questionnaire asked, is the desegregation accepted now generally by the following: teachers, students, parents, and community. I think the answer to that is that it is generally accepted by those groups.

Then on the summary it is stated, opposed, none. Well, it doesn't mean that there is no opposition to desegregation, to be sure, but it comes out of the wording of the questionnaire.

At the last, about the number of the schools, there are five junior high schools that are union schools, that is, they have elementary pupils in them as well as junior high school pupils, so that in a single building there would be both elementary school and junior high school.

I thought that explanation ought to be made in order to clarify what was said or what was summarized.

On July 23, 1957, the board of education of the Greensboro public schools, Greensboro, N.C., voluntarily accepted six Negro pupils for enrollment on September 3 in two previously all-white schools. One of those schools was both an elementary and junior high school. Also, one pupil in each grade, five to nine, at the Gillespie Park Elementary and Junior High School; and one in the 12th grade of the Greensboro Senior High School.

At the end of the year the elementary pupils were all promoted. The seventh grader was promoted. The eighth and ninth grade pupils were retained in their respective grades. All the pupils were reassigned to the Gillespie school for the year 1958-59. The 12th grade pupil made the honor roll throughout the year, and having acquired the prescribed units of credit, was graduated with her class in June 1958.

Some things in connection with the experience were not unlike what took place in some other places. There were actions, procedures, and conditions which were, I think, peculiar to Greensboro and to North Carolina. One: On May 18, 1954, the day after the announcement of the Supreme Court decision in the *Brown* case and at a regular monthly meeting, the Greensboro board of education passed a resolution taking cognizance of the Supreme Court decision; two, recognizing it as law and binding on the board; and three, instructing the superintendent of schools to begin making a study of the ways and means for complying with the Court decision.

After the May 31, 1955, announcement by the Supreme Court of the United States, and after two regular and special sessions of the North Carolina General Assembly, and the adoption of the constitutional amendment, Greensboro, Charlotte, and Winston-Salem held three joint board meetings, advised with their attorneys and the representatives of the press in the three cities and reached conclusions that resulted in similar and simultaneous action.

No votes were ever taken, and no commitments were made, one board to the other, or no board member committed any other board member to any action, but it was a matter of conclusions that were reached through the conferences that were held that caused them to think it advisable to act simultaneously and to act in similar fashion.

On May 21, 1957, the Greensboro board of education, in conformity with the U.S. Supreme Court decision and the laws of North Carolina, adopted resolutions as follows:

One, reassigned pupils either to the school they had been attending or to the schools to which pupils from that school had formerly been promoted, so they followed the traditional plan; second, provided the machinery for applying for and making a reassignment; and third, providing for pupils to be transferred in case pupils of another race than the previously enrolled should be accepted; fourth, on July 23, 1957, six Negro pupils were accepted for enrollment on September 3 in two different all-white schools; fifth, in August an injunction was sought to prevent the board from enrolling Negro pupils. The action of the board was sustained by the Superior Court of the State, and on appeal the decision of the Superior Court was upheld by the North Carolina Supreme Court.

All pupils were retained throughout the year; all school personnel stuck to their posts of duty. The biggest school bond issue ever floated in the country was carried.

There are three administrative units in the county. The vote in favor of the issue was as follows: Rural Guilford, 5 to 1, and they had no desegregation in rural Guilford. In High Point, the city of High Point, the vote was 2 to 1. They had no desegregation. In Greensboro the vote was 10 to 1 where there was the desegregation that had begun.

What made desegregation possible in Greensboro? Here are some of the reasons, I think, and I will enumerate them and then come back to speak of them briefly if there is time.

One, an enlightened and liberal-minded community. Two, an extraordinary school board and attorney. Three, school personnel who stuck to their posts of duty. Four, a favorable press. Five, an intelligent, alert, and courageous police force headed by a chief who believes in law and order.

Now, with respect to the community, Greensboro has a long history of devotion to public education and an excellent record of good race relations. There are six colleges located in the city or in the environment of the community. It has the oldest rated school system in North Carolina.

The Negro citizens had for some time served on the police force. A prominent Negro educator, Dr. David P. Johns, had for several years served as a member of the board of education and upon final illness had been succeeded by a prominent Negro physician. This Negro physician had formerly been elected a member of the city council, and he had led the ticket in the election at which he was offered as a candidate, and it is said that if all of the predominantly Negro ballot boxes had been thrown out, he still would have been elected by a majority of the citizens of Greensboro.

The Greensboro schools had operated the polio hospital school, which was administered on a desegregated basis or on a nonsegregated basis. When the disease struck the community, they had accepted any and all who were stricken, and we operated a school in this hospital that took care of the pupils as they were found in the hospital, which was desegregated, and we never had any adverse reaction from that whatsoever.

A recently established cerebral palsy school was being administered on an integrated basis. The Woman's College of the University of North Carolina had accepted some Negro pupils in their student body. A. & T. College had offered some courses to white pupils in that Negro college. The Catholic Parochial School had admitted pupils from other races than its predominant membership.

The city was influenced by the liberal views of the Friends who live in this community, I think, and by members of the Jewish element that numbers many of Greensboro's leading business and civic-minded citizens. Their attitude was quite liberal and favorable, and I think it helped the community greatly.

Greensboro has a cosmopolitan and highly enlightened population because of its location, balanced industries, and its many schools and colleges.

While a minority oppose vigorously the action of the board of education and many regretted the necessity, the majority felt that it was the best course that could be taken. Most felt that it was the least for the longest, that racial good will has been retained, and that the public education has been preserved.

I believe that about takes up my time. I will be glad to answer any questions I can.

Chairman HANNAH. It is a good presentation, Mr. Smith. You indicated that there were six Negro students in the fall of 1957.

Mr. BEN L. SMITH. That is right.



Chairman HANNAH. One of them graduated. Were there any new Negroes permitted in the white schools in the fall of 1958?

Mr. BEN L. SMITH. In 1941 the board of education set a policy of retiring school personnel when they reached the age of 65. I having reached that age terminated my services as superintendent and was made superintendent emeritus on June 30, 1958, so I have not had the administrative responsibility of the school since that time. But there were pupils admitted. Two of the pupils that were admitted last year asked to be transferred back to the Negro schools.

The one at the senior high school graduated and therefore was gone. That left three of the pupils that had been enrolled previously, and then there were two pupils admitted to the Gillespie Park School this year.

As was pointed out in the original report that I submitted, there were nine pupils who applied for admission the first year. One of those pupils was applying for admission to the Curry School, which is the demonstration school of the Woman's College of the University of North Carolina, and for a long time they have limited the enrollment of the number of pupils per grade at that institution. They declined to admit this pupil to the Curry School, the college authorities did, and it was simply referred by the board to the college authorities who retained that authority, and they declined on account of the fact that their quota was already filled.

A school in an area that is changing the nature of the population had two buildings on the same grounds, and one of those buildings was turned over to the Negro population which is now virtually surrounding the school, and because of the close proximity to that school, one of them withdrew the application. A third pupil was turned down on the grounds that he was more conveniently located to the Negro high school than to the white senior high school, so that six of the nine were actually admitted.

Chairman HANNAH. Dean Storey, do you have any questions?

Commissioner STOREY. Did you have any incidents in connection with your desegregation?

Mr. BEN L. SMITH. We had very little in connection with the schools. As was expected and as will always happen, the superintendent of schools, principal of the school where integration takes place, and the board of education bear the impact of the opposition.

There was a cross burned in my yard, and four times missiles were thrown through my front window. The police, although they had been giving assistance, after this final act placed a police guard and kept him there until the end of the year.

There was a little bit of picketing for a day or two at the Gillespie Park School. There was a little heckling, a little stir in connection

with it. Mainly, though, it was a matter of anonymous letters, anonymous telephone calls, the sending out of products that hadn't been ordered, that sort of harassment, and these throwings of missiles. That was the biggest adverse reaction. It was never known but was suspected that the persons who committed the worst of these offenses were not people of the Greensboro school district at all, but were outsiders.

We did have Kasper to visit the community. We had organized in the community or there were members and leaders in the community of the Patriots organization. Kasper organized a group which later apparently turned into a Ku Klux Klan group.

There were some four or five Ku Klux Klan meetings held in and about Greensboro, in the county, or around about Greensboro.

I think that was not actually within the city limits.

Commissioner STOREY. You haven't had anything recently?

Mr. BEN L. SMITH. No; nothing at all, and there have been no—well, on the opening day of school the head of the Ku Klux Klan—the head of the Ku Klux Klan is not in the school district at all, but in the county—and a man from another city and two men from two different cities did a little picketing for a day or two at the Gillespie Park School and then were asked to withdraw and did so.

Commissioner STOREY. Thank you, Mr. Smith.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. What was the attitude of the students toward one another?

Mr. BEN L. SMITH. There was very little adverse reaction. There was some slight tensions and some little, very small, incidents that would not have been noticed had it not been for the fact that the matter was taking place.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. Mr. Smith, I wonder if you can help me with some figures we have here which I am puzzled by. The information we have, white students in schools attended by both races, for 1957-58 session, 2,530. For the 1958-59 session, 472. Are those figures accurate?

Mr. BEN L. SMITH. Yes, sir; they are accurate. The reason for that is that this Negro pupil at the senior high school where there is a student population of approximately 2,000 pupils graduated, and there was not then this year, the following year, any pupil in the Greensboro Senior High, but only in the Gillespie Park Junior High School, which had approximately 500 pupils.

Commissioner BATTLE. I see. Thank you very much.

Chairman HANNAH. Father Hesburgh.

Commissioner HESBURGH. Mr. Smith, as you see it from living in this community, is there much chance that there will be more schools

integrated? I notice there are 27 white schools that are not integrated at all. There are only 2 that are this year against 3 last year because of this graduation of 1 girl, and only 5 students out of 643 students integrated or going to white schools.

Is there any chance this very token number, now that the principle has been established by the good work you people have done, may increase?

Mr. BEN L. SMITH. The school board has taken the position that pupils should not be forced against their will into an inhospitable situation so that they have accepted only pupils who have made application.

Now, they didn't accept all of the pupils this year who applied, and there has recently been brought a case against the school board because they didn't do that. Actually the case has to do with the Gillespie Park School and the David Caldwell School where there is a Negro school and a white school on the same school site.

Now, just what will come from that remains to be seen. I was not present at the time that decision was made, but I am of the opinion that the school board felt that that was deliberate speed, that they should be entitled to take a little time, and that they shouldn't have so much pressure brought upon that particular school, and there shouldn't be integration just for that reason.

Now, the school population is pretty much centered with the residential population. In the section where the people are predominantly Negro, there are Negro schools to accommodate them, and I think that they would continue to be predominantly Negro.

Now, David Caldwell School and the Gillespie Park School are down the street between two other streets where there has been white population. It is an old section of the city, and it has been gradually receding. The population has been declining so far as the whites are concerned, and more and more Negroes are moving into the community, and I think, whether the decision of the Court had been made at all, that ultimately it would have gone over to predominantly Negro schools.

The churches, several churches, Presbyterian Church, a Friends church, and other conditions as well as families have moved out of the community, and they have sold to Negro population, to Negro membership.

Commissioner HESBURGH. My problem basically is this, that it seems to me you folks have done a lot of planning and gone through a certain amount of turmoil. You have taken some embarrassment, especially your windows being broken 4 times, and if the total result of this is that 5 students out of 5,000 get into the school, it really is a lot of suffering without too much immediate proof, and supposing now these other 27 schools would have applications from some stu-

dents to be transferred to them. What are the chances that they would get in the school?

MR. BEN L. SMITH. I think the same decision would have been made by the board that was made in case of those particular students, and there are some Negro children in most of the areas of the schools, and I don't think that the board at all picked those particular schools. It was a question of their having applied and their approving it, and the same thing would have happened wherever the applications would have been received.

Commissioner HESBURGH. Is there any chance there will be a lot more applications in the years to come, do you think?

MR. BEN L. SMITH. Well, I don't think I can answer that question. I would hope that there would be a gradual changeover, a pretty radical change; it is a departure from tradition. I think that people want to obey the law, but there are a great many people—and people that approve what has been done—that would not like to see that, and I certainly should not like to see Negro pupils forced against their will, the wills of their parents, into a situation that might prove to be inhospitable for them, definitely.

Commissioner HESBURGH. Thank you.

Chairman HANNAH. Are there any questions the participants would like to raise?

Dr. PULLEN. I should like to come back to the philosophical point, and I should like to address my question to Father. At this stage of the game is it more important that we have free acceptance of the idea by both races, or must we measure the success of it by numbers?

I am not trying to put you on the spot, but I think this is fundamental to the whole question as I see it.

Commissioner HESBURGH. I quite agree. As the President told us when we were sworn in at the White House, that there is a problem of minds and hearts, and it is basically a problem of educating the minds and hearts of all Americans to give other Americans their due as citizens, equal opportunity in housing, education, voting, exercise of citizenship, and all the rest.

My only point is that I get confused at times by a lot of good intentions without much results. In my profession I sit and listen to the effects of this very often. We get in that box and hear a lot of good intentions and not much in the way of results, and you all know about the pavement and hell. But I think whereas numbers in themselves don't prove anything—we are not, as they say, in a numbers game here—the concrete results of good will have to gradually be shown, and while I wouldn't take it upon myself—I don't think any of the Commission here would—to try to define “all deliberate speed” or to try to define “inimical” in all areas because it will change from

area to area, I think one does like to see there is some ray of hope for progress and that the condition does progress from year to year and that we don't merely have a static situation with much profession of good will without much evidence, and I think that the problem basically, as I see it and listen to it and read about it, is that on the one hand we have people that want results yesterday, and others that want them never, and somehow in between we have to work for progress.

I agree with you that the heart of that progress must be an acceptance on the part of all Americans of what it means to be an American citizen.

Dr. PULLEN. I certainly shouldn't disagree with you, and being a minister's son, I know a lot about hell. Added to that is the fact that I am a school superintendent, which increases my knowledge.

I think this, and I cannot refrain from making this point, that the answer to the problem lies, as you say, in the hearts and minds of the people, and it is determined not in numbers, but in the relationship between the people, both races, and is determined by their feeling as to being treated properly, rights being preserved, and they, themselves, should be the judge of that, and I think in some cases you are going to have large numbers; in some cases, not so many, but we must look at this problem—I don't mean to make a speech—we must look at this problem a hundred years hence and not just 1 or 2 years.

Incidentally, for your benefit, we have accepted the decision of the courts. We are trying to work it out, but we are trying to work it out in that spirit.

Mr. BEN L. SMITH. May I say just a word? I think the fact that we have made a beginning and did it voluntarily, that an order of the court has been pleasing, greatly pleasing, to the Negro population, and there has been definite appreciation, and their leaders have said to us from time to time that they are not so much concerned about where we are now, but the direction in which we are going, and I think that the board of education in Greensboro having placed itself in a position of cooperation would like to see some other communities come up and the action be taken against somebody else rather than against them when they have tried to comply with the law and have moved in that direction.

Commissioner HESBURGH. I don't want to be in a position of seeming to criticize you, Mr. Smith, because my windows haven't been broken, and I am in no position to criticize you because yours have.

Commissioner BATTLE. Did I understand that suit had been filed against your school board in the Federal Court recently?

Mr. BEN L. SMITH. That is correct, by parents of children who were turned down at Gillespie Park this year and at the Caldwell School.

Commissioner BATTLE. Does that have the backing of NAACP?

Mr. BEN L. SMITH. I could not answer that.

Commissioner BATTLE. Is Thurgood Marshall counsel for the complainants in that suit?

Mr. BEN L. SMITH. I think the representatives of the State, and perhaps it has been suggested Mr. Thurgood Marshall would appear in the case, and apparently the thing that they are after is to get a class decision rather than an individual pupil entered in the school.

Commissioner BATTLE. Yes.

Chairman HANNAH. We are running a little overtime, but I will turn to the table of the advisory committees for one question.

Mr. JOHN HOPE II. I wanted to ask what preparations have been made in the situation where you have, as I understand, in each of the grades one Negro initially. It seems to me in that situation, even if there is no intimidation or anything of that sort, this individual is put at something of a disadvantage naturally, new surroundings and all that goes with it. I wanted to ask, what have been the steps the school system and the administration generally took at the time to ease the obvious things, tensions that arise. Frankly, I have been encouraged to see how development has been in Virginia recently in contrast to some other States last year.

What I am getting at is that if the small number development is going to take place as a procedure, what are the steps that can be taken and are being taken to see that the individual students are not harmed too seriously?

Mr. BEN L. SMITH. The board of education, school administration had nothing whatsoever to do with who applied nor in what grades they were classified, and it was purely coincidental that they happened to be one to a grade. That was not by design, but it just so happened that that is the way it worked out.

Now, of course that is a decision that was made by the parents of the children. We have made a special effort, and I think every teacher has had a fine attitude about it and has talked to children, regardless of the race, in the finest sort of way and been considerate and thoughtful of the pupils that were assigned there so that I don't think so far as the school is concerned there was any difference in the treatment of the children.

Chairman HANNAH. Thank you, sir.

WRITTEN STATEMENT OF BEN L. SMITH, SUPERINTENDENT OF SCHOOLS EMERITUS, GREENSBORO, N.C.

The Greensboro, N.C., board of education held a regular monthly meeting on May 18, 1954, the next day after the announcement of the famous decision in the

*Brown* case of the Supreme Court of the United States. At that meeting a resolution was adopted with a single dissenting vote taking cognizance of the decision, recognizing it as the law of the land, and asking the superintendent to begin a study of the situation with a view to compliance.

We began at once to make some changes.

The reference in the handbook to biracial organization was eliminated. The schools were listed in the directory alphabetically instead of by races as had been done previously. Joint meetings of white and Negro principals and supervisors were now held regularly instead of occasionally as had been done prior to this.

The board and the superintendent listened to speeches for and against desegregation. We read everything that came to hand on the question: books, news releases, magazine articles, special leaflets and pamphlets, Southern School News, laws, court decisions, etc. We talked with many people who were either for or against the idea of desegregation.

I talked with individuals and small and large groups: principals, teachers, parents, ministers, lay citizens. I said over and over again that the decision had overthrown a long standing tradition of more than three and a third centuries, that the decision was inevitable in the leading nation in a world where two-thirds of the population is colored, that the decision is law and there is no probability of its reversal nor of the adoption of a constitutional amendment to the contrary. I stated that I did not think the decision incompatible with the ideals of democratic government and the ideals of the Judeo-Christian religion. I pointed out that we were accepting desegregation in trade, transportation, the Armed Forces, in higher education, in sports, in entertainment, etc.; and that more than 30 States had for years operated desegregated schools. I said that there would be disillusionment on both sides—it would not ring in the millennium for the Negro, nor signal doomsday for the white. I pointed out that there were no precedents to follow, but appealed for the observance of law and order and said that a solution could be formed to the problem, however difficult, by the exercise of commonsense, patience, and good will.

Workshops on human relations were held for school personnel. Pupils were given lessons on "children of goodwill."

Parent-teacher meetings in which human relations were emphasized were held in nearly all the schools.

The Negro high school was allowed to use the gymnasium of the white high school for interschool basketball games.

During the passing of the months, many things were transpiring throughout the nation. North Carolina appointed a commission to study the question. Reports were made. A regular and a special session of the legislature were held. The school code was revised. Laws were enacted, a constitutional amendment was submitted and voted upon. The Greensboro board of education met with the boards in Winston-Salem and Charlotte to analyze and discuss the situation. The press was called in to exchange views. No official action was ever taken but the result was concerted action.

In the spring of 1957 some applications were being received for transfer from Negro to white schools.

In May the Greensboro board (1) reassigned all pupils to the schools they had been attending or assigned them to the schools to which graduates of their school had formerly been promoted. At the same time they (2) set up machinery for filing application for reassignment. Provision was made (3) for the transfer of a pupil wishing it in case a pupil of another race was admitted to the school he was to attend.

Formal applications were received from nine parents for the reassignment of Negro pupils to white schools: one to Curry, one to Caldwell, five to Gillespie, and two to senior high school (white). Since the Curry School is a demonstration school administered by the Woman's College of the University of North Carolina, the application was referred to the college authorities, who denied admission on the grounds that the class was full. There are two buildings at the Caldwell School. The Pearson Street Building was turned over for the use of pupils attending the Washington Negro School, whereupon the parents consented to withdraw the application. One of the applicants to the high school was denied admission. Five were accepted in the Gillespie School, one each in the 5th, 6th, 7th, 8th, and 9th grades; and one was accepted in the senior high school in the 12th grade. The criterion was what would be done with similarly located and qualified applicant, if he were white. This action was taken on July 23 and coincided with similar action in Charlotte and Winston-Salem.

An injunction was sought by parents to prevent the admission of the Negro pupils to the white schools. The North Carolina Superior Court denied the injunction. On appeal to the North Carolina Supreme Court the decision of the lower court was upheld.

Twenty pupils asked to be transferred from the Gillespie School; 18 asked to transfer to the school, knowing the situation. Later six of the first group asked to be allowed to return to the Gillespie School.

The Negro pupils did about as they had done in the schools they previously attended. Two of the junior high school pupils failed their promotion. The senior high school pupil made the special honor roll and graduated in June of 1958.

The year went off with a minimum of disturbance.

Caspar visited the city before the opening of school and organized a citizens committee. The patriots, a segregationist group, were active. Several Ku Klux Klan meetings were held.

The Greensboro police was alert, had meetings attended, guarded buildings and individuals.

The adverse reaction was mainly a little picketing and heckling, anonymous telephone calls and letters, harassments, such as sending taxis, coal and oil, termite exterminators, ambulances, fire equipment, police, etc.

Repercussions of Clinton, Nashville, and Little Rock could be felt.

The superintendent bore the main brunt of the adverse reaction. A cross was burned in his yard, it was necessary to install an unlisted telephone in his home, and after four missiles were thrown through his residence window, the police stationed a guard on duty 24 hours a day. At the end of the year he was honored widely and generously.

The voluntary action of the board, acceptance of the decision on the part of the community, and the smooth transition were due, I think, to a number of factors.

The board of education of seven members was made up of men and women of unusual educational and character attainments.

The judgment of the attorney was highly regarded. His counsel was forthright and judicious. His advice was clear-cut and unequivocal.

Meetings had been held in Greensboro at which Superintendent Omer Carmichael of Louisville, Ky., and Assistant Superintendent Thomas A. Van Zant of Baltimore, Md., explained how the matter had been handled in their respective cities.

Greensboro has a long history of devotion to public education and an excellent record of good race relations.

Negro citizens had for sometime served on the police force.

A prominent Negro educator had for several years served as a member of the board of education and upon a final illness had been succeeded by a prominent Negro physician.

The Negro physician had formerly been elected a member of the city council.

The Greensboro schools had operated the polio hospital school which was administered on an integrated basis.

A recently established cerebral palsy school was being administered on an integrated basis.

The Woman's College (white), A. & T. College (Negro), and the Catholic Parochial School had admitted pupils from the other race than its predominant membership.

The city was influenced by the liberal views of the Friends Society of which there are many members and by the Jewish element that numbers many of Greensboro's leading business men and civic-minded citizens.

Greensboro has a cosmopolitan and highly enlightened population because of its location, its balanced industries, and its many schools and colleges.

While a minority opposed vigorously the action of the board of education and many regretted the necessity, the majority felt that it was the best course that could be taken. Most felt that "It is the least for the longest," that racial good will has been retained, and that public education has been preserved. A minimum of coercion and a maximum permission were exercised. It is definitely known that much of the opposition emanated from communities outside the school district—some of it from other States.

Greensboro has no disposition to impose its plan upon any other community. Board members and school officials have simply stood at their post of duty and done what they felt was necessary and best for Greensboro to do under the circumstances.



For whatever it is worth, I have the firm conviction that no doors of social tradition should be "battered down" and none should be barricaded against legal rights obtained by due process of law.

The Greensboro story is told in two books recently published: Dr. Melvin M. Tumin's "Desegregation—Resistance and Readiness," Princeton University Press. Dr. Herbert Wey and John Corey's "Action Patterns in School Desegregation," Phi Delta Kappa.

Mr. Tiffany, will you present the next speaker?

Mr. TIFFANY. The next participant is Mr. Rex M. Smith, assistant State superintendent of the State of West Virginia.

Chairman HANNAH. Mr. Smith.

#### STATEMENT OF DR. REX M. SMITH, ASSISTANT STATE SUPERINTENDENT OF SCHOOLS, STATE OF WEST VIRGINIA

Dr. REX M. SMITH. Mr. Chairman, ladies and gentlemen, I will speak primarily from the standpoint of the State as a whole. However, I realize full well that any success that may have been achieved within the State of West Virginia is due to the efforts of the local school districts. I think there actually is where the problem arises and where it must be dissolved.

No doubt you have all looked at the outline of West Virginia many, many times. You note that it is extremely irregular. I don't mean by that that anything goes on within the State that is irregular, but I merely point that out because you have so many different situations within one State, one extreme northern section, one that goes far to the east, and also to the south.

As is generally known, but little publicized, West Virginia has been working steadily, though sometimes slowly and spasmodically, to implement the 1954 decision of the Supreme Court regarding the desegregation of the public schools. We feel that some progress has been made, yet much remains to be done. We do not contend that what we regard as progress and accomplishment could necessarily or easily come about in a similar manner in other localities.

Our situation is unique. When compared to some of our neighboring States, we may appear to have had no problem at all. However, we like to think that there are many common denominators in the field of intergroup relations. This is why we are represented at this conference—to learn as much as we can from your experience and to share with you, for what it may be worth, a few of the developments which have occurred in our own State since 1954. My remarks shall be confined to giving you a quick overview of the present status and recent changes in the desegregation pattern in West Virginia. Additionally, I shall make a few comments which may, in part, explain the changes which have occurred.

In the first place, it is important to note that at the time of the 1954 Supreme Court decision, only 114,867 West Virginians were

classified as Negroes. This number constituted only 5.7 percent of our total population. Furthermore, this small minority group was, and still is, unevenly distributed throughout the State. Most of our minority peoples are to be found in the southern and eastern sections of West Virginia. They are attracted to the coal fields in the south and the agricultural and industrial opportunities in the east. Eleven of our 55 counties have a total Negro population of less than 50. Only 14 counties have more than 2,000 and only 3 more than 10,000.

Although relatively stable for the past several decades, there has been some recent change in our Negro population. Primarily, the change appears to be a population loss, chiefly in the southern section of the State and due primarily to the mechanization of the coal industry. We, therefore, have small numbers—to a degree, getting even smaller—distributed unevenly throughout the State, yet largely concentrated in the areas in which the State's most rapidly changing industry—coal—is to be found.

When we look at the school population, and try to assess the changes which have occurred during the past 5 years, we note that in 1954 6 percent of our total school enrollment came from the Negro group. The total number of segregated Negro students was 25,646; the number of Negro teachers, 983. Since that time an estimated 6,259 Negro students have entered formerly all-white schools. Simultaneously, there has been a general move to integrate the Negro teacher without regard to race. This has resulted in a slight reduction in the total number of Negro teachers employed in West Virginia. However, much of this loss can be attributed to the closing of formerly segregated Negro schools and the difficulty of placing, in an integrated program, the administrative personnel in these schools.

According to a survey completed only this month, we can report that West Virginia employs a total of 885 Negro teachers, a loss of 98 since 1954. Of this number 232 are now teaching in integrated schools which were formerly all-white schools; 586 are teaching in schools which are presently attended exclusively by members of the Negro race; 142 are teaching in integrated schools that were formerly all-Negro schools; and 145 are employed in the capacity of principals of either all-Negro or partially integrated schools. As might have been anticipated, the least changes in the previous pattern of segregation have occurred in the areas in which the Negro population is most dense. Conversely, the greatest changes have occurred in communities having relatively few members of the minority race.

It is, in our opinion, highly significant that the State of West Virginia is, and has been since the Supreme Court decision, officially integrated on the State level. Within this overall policy of compliance, integration patterns vary on the local level in accordance with differing circumstances and interpretations. We do not feel

under obligation to abolish all schools attended by members of only one race. We do feel that we should try to remove all artificial barriers to normal and unrestricted public school attendance on the level of the natural community.

This means that our citizens, and often their children, have a voice in deciding on the school they shall attend. If a school exists in a community or neighborhood in which members of only one race reside, we do not feel that compliance with the Supreme Court decision involves an artificial rezoning for the purpose of forcing another race into this school.

However, in cases where two or more racial groups reside within the normal attendance area of one of our public schools, we have felt it our duty to gradually—sensibly, yet surely—remove whatever obstacles existed to free attendance without regard to race. This is, to us, compliance with the intent of the Federal mandate.

I have thus far commented on some of the changes which have taken place in the total Negro population of West Virginia and in that portion of this group with which the public schools deal directly. One final evidence of the transition occurring in our State is to be found in the changes in the number and types of schools being operated. It might, therefore, be observed that 11 of our counties in 1954 operated no segregated schools whatever. These were, as you might anticipate, the same 11 counties which had a Negro population of less than 50. At this time we operated a total of 287 Negro schools. Of this number 246 were elementary; 41 secondary. In a span of only 5 years the secondary schools have been reduced in number by approximately one-half. Where we formerly had 34 senior high schools operated exclusively for Negroes, we now have only 17. Where we formerly had 8 Negro junior high schools, we now have only 4. We do not have comparable data for elementary schools at the present time, but would assume a similar, yet less dramatic, change.

We have, therefore, as I said in my opening comments, attempted to comply with the intent of the Court's decision as we understood it. We have had some problems, but they have not been serious. This has been true because of many tangible and intangible sociological factors which worked in favor of the change which was required.

Although time will not permit me to explore those conditioning factors, suffice it to say that the absence of militant majority or minority groups proved to be a definite advantage. Additionally, we were favored with a pattern of large district school organization—55 county units, which meant that on the level of policy, only 56 decisions had to be made, 1 for each county board and 1 for the

State. Since the State made its decision early in the game, the counties were able to take a stand shortly thereafter.

I wish to conclude by saying that in the implementation of these policies of legal compliance, we will be many years in effecting integration in the true sense of the word, although desegregation may, within itself, come with comparative ease. Our problems exist in the minds of men, and we do not feel that it is the prerogative of school administration, or even the courts, to force this change. We do feel, however, obligated not to retard the orderly processes by which men examine and reexamine their attitudes and beliefs to the end that we might devise more effective patterns of human relations and more productive patterns of intergroup action.

Such is the spirit of democracy.

Chairman HANNAH. Mr. Smith, thank you very much. It is my understanding that prior to your assumption of your present post you were a county school superintendent so that you can speak from various points of view.

Dr. REX M. SMITH. That is right.

Chairman HANNAH. Perhaps you included it in your statement, but if you did, I missed it. You gave some information with reference to numbers of schools, all-Negro schools, that have now been closed or ceased to be all-Negro schools. What percentage of the Negro students or what number of the Negro students are now enrolled in all-Negro schools? What is the actual progress in the last 4 years?

Dr. REX M. SMITH. I don't have those figures. As a matter of fact, the only way we were able to determine the information that I gave out just a moment ago was actually by going from school to school, so to speak, or contacting the county superintendents. We have no records on the State level nor on the county level that would indicate which student is a Negro student and which isn't.

Now, I might point out that as you probably surmise, the fact that we still have Negro schools does not mean that any youngster does not have the right to enter the school in which district he lives. These schools, as in most areas, are in areas where the children are all Negro or predominantly Negro. If those youngsters lived in an area in which they would normally attend a white school, they would have that right, and I am quite sure there isn't a single case in which a Negro youngster is deprived of the opportunity of attending the school in which district that youngster lives.

Chairman HANNAH. Let me go to another level that we haven't been concerned with today. It is my understanding, or at least I have the impression, that the West Virginia State College that was formerly the all-Negro land grant college for West Virginia is now integrated, is that true?

Dr. REX M. SMITH. That is right; yes, sir.

Chairman HANNAH. How many white students do they have, do you have any idea?

Dr. REX M. SMITH. I am sorry. I wouldn't have those figures. Just on a rough guess I would say about 15 percent of them are probably white. That school is located close to Charleston, and I have attended there, but I just don't have the figures. It would be around that.

Chairman HANNAH. This has all happened in the last 3 or 4 years?

Dr. REX M. SMITH. Yes, sir.

Chairman HANNAH. It is my impression, reading the newspapers in the last year or two, you have had some destruction of school buildings with bombings and so forth. Do you have any comment that you would care to make with reference to these unfortunate occurrences?

Dr. REX M. SMITH. The only comment I would have, that we have not, nor have the law authorities, including the FBI, been able to prove that any of these were due to our integration policy.

Now, we might assume that would be true, particularly in the case of one county in which we had four buildings burned, and I don't think we would be far off to say that the chances are it is true that some of those were due to the feeling of the people or certain people, I should say.

Just recently we had a school bombed in—well, this happened to be in the county of which I was formerly county superintendent, so I was quite close to it. There hasn't been a shred of evidence to this point that it was due to the integration problem. Yet we couldn't account for it in any other manner.

It was done by dynamite obviously, and it was just one of those unsolved mysteries as far as we know.

Chairman HANNAH. Let me ask you one final question. You have had a very substantial desegregation. Do you have any comments or observations, answering the same type of question I have asked several times before here today, as to whether or not there has been any reduction in the quality of the program for the white students or whether the Negro students have done less well or better than they might have done before in the desegregated schools as compared to what they did before?

I have asked that very clumsily, but you know what I am trying to ask.

Dr. REX M. SMITH, I understand your question.

No; we haven't. That again goes back to the matter of keeping records in the various schools and the counties, and our records would not indicate—that is, grades of white youngsters versus grades of Negro youngsters—but in the overall program, that is, taking the

records as a whole, there isn't any evidence that the record has gone down.

I would say it is a normal rise as we are hoping from year to year. I could not identify Negro versus white records. We just don't have them, and we are trying, I know as every school man in this group is, to teach on the individual basis and help them as much as we can on that theory.

Chairman HANNAH. You have indicated there has been a closing of a considerable number of Negro schools. Is it your guess that this has reduced the total overall cost of the public educational program in West Virginia?

Dr. REX M. SMITH. Yes, sir; it has. It has meant closing primarily of a number of small schools in several counties. There were even a number of one-room or maybe two-room Negro schools prior to this integration program where the enrollment was quite small, and those had to be maintained, and we couldn't even transport youngsters in the other buses, but now since the integration program, we have been able to consolidate in a great many cases and eliminate two runs of school buses, so I would say there has been a definite saving.

Chairman HANNAH. Dean Story?

Commissioner STOREY. No, sir.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. No questions.

Chairman HANNAH. Do any of the participants have any questions they would like to ask Mr. Smith?

I will ask one more. With reference to the qualifications of your Negro teachers, you have indicated that there are some fewer Negro teachers in the schools now than there were before you moved into the desegregation program.

In general are the qualifications of your Negro teachers comparable to the qualifications of the whites?

Dr. REX M. SMITH. They are generally better because the Negro teachers—well, I don't know whether I can say exactly why, but we noted that even before the integration program. We didn't have maybe enough Negro schools to accommodate the available teachers, so we were able to be even more selective in employing Negro teachers, so their qualifications are good.

Chairman HANNAH. Any other questions?

If not, Mr. Smith, thank you very much.

The next participant has requested that he have an opportunity to make his presentation without the benefit of the press, and so we would like to excuse the members of the press, and we are going to have one more participant with a full presentation without the press, and then there is one of those who already made a presentation who would like to make a few additional comments without benefit of the press.

So that the press, however, may know better how to plan the day for tomorrow, if we can keep on schedule, we will start at 9 o'clock in the morning, and due to the fact that Dr. Fischer, who was scheduled for tomorrow, appeared today, we will try to run straight through and finish by 12:30 or 1 o'clock and dispense with tomorrow afternoon's session if we can. But that will be determined by how we go tomorrow, but that is going to be the objective.

So will the press be excused, please.

Mr. KOONCE, will you tell me when the press are all out?

Mr. KOONCE. They're out now, Mr. Chairman.

Chairman HANNAH. We will proceed with the conference.

(The conference at this point went into executive session.)

CONFERENCE  
BEFORE THE  
UNITED STATES  
COMMISSION ON CIVIL RIGHTS

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EDUCATION

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CONFERENCE HELD  
IN  
NASHVILLE, TENNESSEE

March 6, 1959, Morning Session



## COMMISSION ON CIVIL RIGHTS

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FRIDAY MORNING SESSION, MARCH 6, 1959

The Commission met in the Iris Room of the Hotel Hermitage, Nashville, Tenn., at 9 a.m., Friday, March 6, 1959, Dr. John A. Hannah, Chairman of the Commission, presiding.

President: John A. Hannah, Chairman; Robert G. Storey, Vice Chairman; John S. Battle, Commissioner; Doyle E. Carlton, Commissioner; Rev. Theodore M. Hesburgh, Commissioner.

Also present: Gordon M. Tiffany, Staff Director; Mrs. Carol R. Arth, Executive Secretary; George M. Johnson, Director, Office of Laws, Plans and Research; William Swan, Consultant, State Advisory Committees; David F. Koonce, Consultant; Mrs. Elizabeth R. Cole, General Attorney; John T. R. Godlewski, General Attorney; Robert L. Nelson, Research Analyst; Howard W. Rogerson, Legal Assistant to Commissioner Battle; Harris L. Wofford, Legal Assistant to Commissioner Hesburgh.

### PROCEEDINGS

Chairman HANNAH. Ladies and gentlemen, we will resume this conference on the general subject of schools in transition at the point that we left off yesterday afternoon, and without repeating any of the preliminaries that we went through yesterday morning, we will proceed immediately to the subject matter of the conference.

We are going to try to keep on schedule so we may be able to complete this session by 12:30 or later today.

Mr. Tiffany, will you introduce the first participant this morning?

Mr. TIFFANY. Mr. Chairman, may I say that we will flash the lights at the end of 8 minutes, and that will mean 2 minutes to go. We will again flash them at the end of 10 minutes as we did yesterday so that the participants may know when the end of their time is nearing.

The first speaker this morning is Mr. R. G. Crossno, member of the board of education, Anderson County, Tenn.

**STATEMENT OF R. G. CROSSNO, MEMBER OF THE BOARD OF  
EDUCATION, ANDERSON COUNTY, TENN.**

Mr. Crossno. Mr. Chairman, members of the Civil Rights Commission, and guests: I trust by granting my small request to be heard first this morning it does not upset the schedule too much.

I am most appreciative of the opportunity to appear before you and say a few words on the subject to which we in Anderson County, Tenn., have lived very close for the past 2½ years—not through choice, but very close, nevertheless.

This statement is made subject to the following ground rules: (1) If any statement appears to be critical of any individual, group or agency, I hope you will accept such as constructive criticism—for it is in this vein and only in this vein will I offer it. (2) Any suggestion or recommendation which I make will be intended for Anderson County and other communities that are similar and comparable. Under no circumstances would such recommendations necessarily be needed or effective in communities with varying background and conditions.

*History of the Anderson County case*

The population of Anderson County is predominantly white, with less than 2 percent being colored. The colored people are almost exclusively located in three parts of the county, namely: Clinton, Lake City and Oliver Springs. There are three colored elementary schools in the county: one in Clinton which is operated by the Anderson County school board, and one in Oliver Springs which is operated jointly by the Anderson and Roane County school boards. The average number of colored high school students has ranged from 15 to 29 over a period of years. With so few colored high school students, the school board has taken the position that it was neither practical nor economically feasible to provide a high school for so few students, and therefore supplied the necessary transportation and tuition for these students to attend well-qualified colored high schools in adjoining counties.

In 1950 five colored high school students living in Clinton, with an outside attorney, made application to enter Clinton High School. This was not only contrary to custom but to have accepted these colored students would have been in violation of an existing State statute; therefore their request for admission was denied. The outside attorney filed a bill in the Federal District Court in Knoxville stating that these students were being denied their constitutional rights, that Anderson County did not provide a colored high school, that the distance traveled and time required were excessive, and that the high schools which they were attending were inferior.

Anderson County sought the aid, advice, and assistance of the State of Tennessee in this matter and were told that this was a matter for the local school board. Anderson County employed three attorneys to represent their interests in this matter. In due time the case was heard by said court. The substance of the opinion of this Federal District Court was (1) the distance and time consumed in travel were not excessive, (2) the colored high schools which they were attending were not only equal, but in some respects were superior to any high school in Anderson County, and (3) that the State of Tennessee would not recognize a high school with fewer than 75 students. In short the court upheld the separate but equal principle which had been established by the U.S. Supreme Court more than 50 years before.

The outside attorney appealed the case, on behalf of the colored students, to the Court of Appeals in Cincinnati and in due time the case was heard by this court. This court took the case under advisement where it lay until the Supreme Court's decision in May 1955 and as you very well know, the Supreme Court decision itself remanded those cases which were pending in the lower courts back to the original court in which they were heard.

Therefore, the Anderson County case was returned to the Federal District Court in Knoxville for further processing.

During the months of June, July, and August, 1955, while the schools were not in session, the school board and other county officials conferred many hours with our legal counsel as to the best course to pursue in this matter. Without exception, it was our unanimous opinion that we had one and only one course to pursue; that being to comply with the Supreme Court's decision. In late September the school board authorized that a committee be set up to pursue this course. The committee was composed of the school board, the county superintendent of schools, and every principal in the county, both high school and elementary, and both white and colored. The committee met and organized, electing me as chairman of this committee. After a full discussion of the Anderson County case, it was the consensus of this committee that our first and most urgent task was informing our citizenry of the facts. We felt this could best be accomplished at the local level through the various parent teachers associations. We set out to appear and apprise our people of the facts at every parent teachers association in the county, both high school and elementary and white and colored. This program was in full sway when we were ordered back in Federal District Court, and after a very brief hearing in December, the judge, on January 5, 1956, handed down a decree which said in part:

It is the opinion of this Court that desegregation as to high school students in that county (Anderson) should be effected by a definite date and that a reasonable date should be fixed as one not later than the beginning of the fall term of the present school year of 1956.

To the school board this was the final word. To those of us who had lived so close to this problem for more than 5 years, to say that we were worn to a frazzle would be a gross understatement of fact.

With the Federal District Court's order in hand the board went about its business of complying with no expectation of any unusual trouble. But how far wrong we were only history will record. With the opening of Clinton High School some 12 colored students and some 750 white students registered for school. It was then that there appeared on the scene a professional agitator. With a few local followers, and many from outside the county, there started mass gatherings, mob action, and violence. They would surround the school, use any and every form of intimidation, and, in some instances, went inside the school building with their activities. Parents became concerned, and justifiably so, for the safety of their children, not to mention the impossibility of their accomplishing anything in the classroom. School attendance dropped from an average daily attendance of some 750 to a low of 66. The high school principal, some parents, and other county officials appeared before the Federal District Judge and obtained an order enjoining six individuals, and any others acting in concert with them, from interfering with the operation of this school. The agitators resumed their activities in nightly meetings on the courthouse lawn only a few yards from the Clinton High School building. Each meeting became more violent and it was clearly apparent that it was beyond the realm of possibility for the local law-enforcing officials to cope with such a mob and their violence. The officials of the town of Clinton and Anderson County requested aid from the Governor of the State of Tennessee, not to enforce integration in Clinton High School but to aid in the restoration of law and order in a deserving community. I am quite sure that I do not have to remind you that such a request is not one relished by any Governor because of its far-reaching and everlasting ramifications. But with the firm request in hand from the local law enforcing officials, the Governor moved with all deliberate speed and with unswerving determination by ordering the State National Guard into Clinton to restore law and order in a matter of a few hours.

Law and order, on the surface, were restored in a relatively short period of time. With all of this having taken place during the month of September, there existed an undercurrent of activity during the months of October and November, which prompted the calling of an emergency executive meeting of the school board on Sunday after-

noon of December 2, and an official meeting of the board at 7 a.m. on Monday, December 3 was called.

At that time they adopted the letter which was forwarded to the Attorney General of the United States. In short that letter set forth that there had been an order issued not for anyone to interfere with the operation of that school, and yet the Federal Government was not carrying out their responsibility in enforcing that injunction. We told the Attorney General we would like to have an answer within 5 days, but we did not have to wait the 5 days before the second chapter was written in this episode.

It was on Tuesday morning a local minister felt it was his duty to escort the local colored children to school. After depositing the colored children in the school, he was accosted and assaulted by a small mob. With local tension mounting by the minute, and upon the recommendation of the high school principal, the board ordered the school closed at noon for an indefinite period of time.

In a few days we received our reply from the Attorney General in which he stated the Department of Justice was concerned with enforcement of the injunction; that through the Attorney General's office and the FBI they have begun investigation to determine the violation of the Court's order. It pointed out the primary responsibility for the protection of the colored student rested with the local and State officials.

Subsequently, after the receipt of the Brownell letter, the Federal Bureau of Investigation moved in and arrested 16 persons who were tried in the Federal District Court the following July, with 6 being convicted, 1 receiving a prison sentence and the other 5 being placed on probation.

During the period of January 1957, to October 5, 1958, the school and community proceeded without any outward violence. I do not wish to infer that the school and community were entirely normal—because the Board, the faculty, and the student body and the citizenry were constantly under the strain of an undercurrent which has prevailed from the outset of this problem.

The date of October 5, 1958, will long be remembered by many of us as the darkest hour in the history of Anderson County, for it was on this date, in the predawn darkness, that some form of human flesh set off three blasts which demolished a goodly portion of the Clinton High School building. In a matter of minutes the city and county officers were on the scene; in less than 2 hours agents from the Tennessee Bureau of Identification were on the job. After securing the aid of our Congressman and our two Senators, the Federal Bureau of Investigation reluctantly agreed to enter the case to assist the local officers.

I regret that I do not have the words at my command to adequately describe the reactions of our people to this bombing. The words stunned, shocked, amazed, and hysterical, are some that could be used. The high school principal who had been employed at the beginning of the school year in 1957 for this specific job, a man with many outstanding qualifications, one of which was his apparent nerves of steel, was visibly shaken. The father standing there, viewing the ruin, saying: "It can't be." The hysterical mother saying: "Oh, my God, what if my child had been in there."

After viewing the ruins and the stunned, shocked citizens for some 3 hours, the school board knew there was a need for action—positive action. By noon, with the grateful assistance of many people the board had located and secured the verbal permission of the Atomic Energy Commission officials to use a vacated school building in Oak Ridge, some 12 miles away.

At the invitation of the Governor a delegation flew to Nashville to discuss Clinton's plight with various State officials on Sunday afternoon. With the Governor's assurance of his every possible support and upon his insistence that the school be reopened without delay, we made ready and moved the entire student body into the vacated building on the following Thursday, 4 days later, where the school is still functioning. With the student body temporarily housed, the board began to seek ways and means of rebuilding the destroyed building. A conference was sought with the President to present a request from the school board. We were unsuccessful in seeing the President but a delegation went to Washington and discussed our problem with two Presidential assistants.

In that request to the President we set forth four items. First of all we stated was our firm belief that the bombing was a result of our trying to carry out the mandates of the Supreme Court decision. Secondly, we told him that we were determined to keep the doors of that school open and operating under the terms of the law. Third, we pointed out that Anderson County was not in financial position at that time to rebuild Clinton High School; and fourthly, we asked that he find ways and means of lending us financial support in this matter.

With reference to this letter to the President I would like to make one point unmistakably clear. The people of Anderson County did not ask, they do not ask today, nor will they ask in the future for reward for obeying the law, for we not only feel that such is an obligation but a privilege. The people of Anderson County did ask, and they ask today, and they will ask in the future that, if any agency by their acts or actions makes it physically and humanly impossible for us to comply with the law, then we shall expect this agency to accept their undeniable obligation to rectify such a condition.

There are many effects of this problem in Clinton in the last 2½ years on the school board, county government, on the students. Time will not permit me to go on.

There are a few suggested recommendations I would like to touch upon.

These recommendations are based largely upon our experiences in Anderson County but in all instances weight has been given the experiences of our sister school systems dealing with this problem.

I will have to skip a good portion of this. First of all, I would like to ask this, what is this problem with which we are proposing to deal.

When I got up this morning, I put my right foot into my trousers first, I did the same yesterday, and I will do the same tomorrow. Why? Just a habit or custom. What I am trying to say is that it isn't too difficult to change the politics of men or the religion of some human beings or for some men to change their wives, but by far one of the more difficult tasks to perform is to change the habit, custom and the "way of life" that human beings have been accustomed to for generations.

It is my considered judgment by far the most important and needed item in this period of transition is the four letter word t-i-m-e. Why the need and what would be reasonable to expect with time?

I would hope that with additional time that the Federal Government could find itself. Quite frequently the legislative body of all levels of government find it necessary to mark time in order that the people may catch up—but in this instance—it seems the people must wait for the Federal Government to find itself and catch up. In my opinion the Federal Government, and its various agencies, have failed and failed miserably in at least four areas. I would like to mention those without expounding on them at this time.

I. They have failed to create an atmosphere where a majority of the people can and will work.

II. The second area in which the Federal Government has failed is that the Supreme Court's decision and the resulting Court orders have severed the line of communication between the two races without providing a substitute.

III. The third area in which the Federal Government has failed—and personally this irritates me more than any of the others—is their frigid attitude, their complete indifference toward a school system, toward a people, that has conscientiously tried, contrary to their convictions, to abide by all laws and orders of any court of competent jurisdiction.

IV. The fourth area in which the Federal Government has failed has been in the lack of consistency in the interpretation and application of the Supreme Court's decision by the Federal District Courts.

With time I would hope that school authorities would secure the aid of other groups, particularly the religious groups, in solving this problem. To date, most religious groups have been most reluctant in taking a stand.

With time I would hope that the necessary legislation would be enacted which would make the bombing of a school a Federal offense, to authorize and direct the Attorney General and the Federal Bureau of Investigation to apprehend and prosecute perpetrators of such acts of violence, and authorize Federal financial assistance to any school system where such acts occur.

With time some plan, other than the present piecemeal or pilot school integration, must be devised to discourage the mass congregation of agitators in one small area. If the operation of segregated schools in Anderson County is wrong, it most assuredly is also wrong in 152 other school systems within the State of Tennessee. Time should also provide much valuable information from the operation of these pilot integrated schools. Time will allow the makeshift private schools to reach their proper perspective, versus public schools.

It is my firm conviction that any problem created by man, can likewise be solved by man. The problem with which we are dealing is manmade, it will be solved, and it will be solved by man.

If relating to you our experience in Anderson County aids any school system in making their transition a little easier, a little less violent, then we in Anderson County will feel that not all of our efforts have been in vain.

I thank you and apologize for going over my time.

Chairman HANNAH. Thank you very much for that very fine presentation; very effectively done.

Dean Storey, do you have some questions?

Commissioner STOREY. Mr. Crossno, as I understand your analysis, and looking in retrospect, one of the great impediments was the agitation of a few radicals, is that correct?

Mr. CROSSNO. That is definitely true.

Commissioner STOREY. And then, as I understand, as to the Federal Government. You have the four points that you outline, but you thought as to remedial action in the future one is foremost, that it should be a Federal offense for bombing the school facilities; and secondly, that if physical harm or demolition of buildings occurs, it is a national emergency for which the Federal Government should take an active part.

Mr. CROSSNO. Most assuredly.

Commissioner STOREY. As I understand, those are really your two major conclusions, am I correct?

Mr. CROSSNO. There was a third one there. I still think the policing of a Federal order should be not as the Attorney General said in his



letter, primarily by local officials. I do not concur in that one bit. I think the policing of it should be a Federal responsibility.

Commissioner STOREY. In other words, it being a Federal order, it should have enforcement implementation.

Mr. CROSSNO. It must have in these small areas, very definitely.

Commissioner STOREY. Those three, you believe, if they were implemented, would help a great deal in the various localities up against such a proposition.

Mr. CROSSNO. Certainly make it more nearly possible for small school districts to exist. Now, whether it would erase any of the violence which we have had or not, I don't know.

Commissioner STOREY. But those are your very definite recommendations, based upon this state of facts that you have so dramatically given us.

Mr. CROSSNO. Absolutely.

Commissioner STOREY. Thank you, sir.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No questions.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No; thank you.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Mr. Crossno, looking back, and this is perhaps following up on Dean Storey's question, precisely what do you think would have been the best way to stop this agitation? By moving in someone from the Federal Government to do it, or by getting State help, or what? What I am getting at here, I am a little afraid of the Federal Government getting too closely involved in these things and may get us into the states' rights problem again.

Mr. CROSSNO. Father, I say, I don't want to be critical. I have statements in here I have not dared make, that I have not dared send to Washington, to your office. I still want to be objective. To me it is morally wrong to ask the State National Guard to come in and fight for something they did not create. I think it is a Federal responsibility.

I think it should be so clear cut, the same as the robbing of a Federal post office. They do not ask the local law officials to take over. As a matter of fact, they don't want them in the way. If a Federal check is forged, they don't want the local officials to take over.

To me, if an order is issued by the Federal Court, and particularly where there is interference of it, it should be the responsibility of the Federal Government all the way.

As a State taxpayer I would not be in favor of the State National Guard coming in, which back in 1956 was our only choice. I think it should be a Federal responsibility all the way.

Commissioner HESBURGH. I gather you think as soon as this agitation by outside sources begins, if it is handled very quickly and efficiently, your case is much simpler to handle.

Mr. CROSSNO. Oh, very definitely.

Commissioner HESBURGH. That is all the questions I have, Mr. Chairman.

Chairman HANNAH. Do the participants have questions they would like to ask Mr. Crossno?

Mr. BEN L. SMITH. He makes the point that it is unfortunate that a pilot school has to be the target of the attacks and sentiment and agitators from other sections, which is quite true, and yet he asked for time in which to make the adjustment.

Undoubtedly some communities need more time than others. How are you going to reconcile this going forward by certain individual schools and this idea that the thing should be applicable all over?

Mr. CROSSNO. If I may speak to that point, I am not advocating the setting up of a pilot integrated school. We already have that, and I say let's profit from them. I go back to industry. It seems to me the Federal Government, in dealing with this problem, could take a page out of successful industry. If the tire manufacturer develops a new tire, he does not go out and make thousands and thousands of those tires without first trying them out under every conceivable condition.

I would be the last to advocate setting up Anderson County as a pilot integrated school, but whatever the facts are, we are set up that way, and I say let's take advantage of the mistakes, errors, or any good points.

I sometimes wonder if we ever had any there, but if there are any, let's take advantage of those and not step backwards. I am not proposing that at all. But the two are not compatible—I will have to agree with Mr. Smith. Neither is the fact that there are 153 school systems in the State of Tennessee and only 2 of them have integration. They are not compatible either with the Supreme Court decision.

I am not advocating the setting up of pilot integrated schools, but we have them, so I say let us take advantage of whatever mistakes and profit by bitter experience.

Dr. PULLEN. This is not to object, but to raise a question. In proposing that the Federal Government through its police power carry out the dictates of the Federal Court, it might be simpler if all the decisions were made by the Supreme Court, but are you not overlooking the fact that you may have a myriad of decisions which might place the police power of the Federal Government into maintaining all sorts of decisions, since all of the problems do not go back to the Supreme Court?

In other words, under the present system of relegating the decisions very generally to the local courts, having all kinds of situations in

which the Federal police power may come into the local communities and would the overall effect be more deleterious than to have the local people settle their own problems?

I am not taking issue with you, but I am raising a question about a matter that disturbs me a great deal.

Mr. CROSSNO. If I may say one word to that point, I can understand and appreciate what the gentleman says. At the same time, one of my points is a lack of consistency by the Federal district courts. I don't see how they can expect anybody else other than the Federal Government to carry out those mandates if they themselves have that inconsistency, and one I could mention that it would be hard to define—and I stand to be corrected on this—but in some Federal district courts they have permitted this 12-year plan, one grade each year. Some other Federal district courts have declined that proposal.

Now, how are you going to reconcile them is something I wouldn't know the answer to. The thing I think, the Federal Government told Anderson County to be read in 7 months. The Federal Government is still not ready, I think.

Dr. PULLEN. In other words, you are saying there is no uniformity of plan according to the decisions of the local or the Federal courts, either in the first instance or the court of appeals.

Mr. CROSSNO. Total lack of consistency.

Dr. PULLEN. Then wouldn't you have the Federal troops running around the country on every kind of proposition?

Mr. CROSSNO. I would much prefer Federal troops running around than our own State troops.

Chairman HANNAH. One more question.

Mr. OLIVER. I would like to ask this question. You were trying to carry out the direction of the Federal Court, and there were those who were interfering to the point that it was impossible for you to carry out the direction of this court, and it became necessary for you to get an injunction against these people who were interfering.

I want to know, did you ask for any assistance from the U.S. Department of Justice in getting that injunction, and if so, did you get any assistance from them, please, sir?

Mr. CROSSNO. We went directly to the Federal District judge. We didn't have any assistance from anyone. The school principal, citizens in the town, went directly to the Federal District Court. We didn't have any assistance from anyone in getting an injunction.

Mr. OLIVER. You didn't ask for any.

Mr. CROSSNO. We didn't ask for any. We didn't have any at any time.

Mr. NEWMAN. I would like to make this one observation, and that is this: It seems to me in a problem as involved as this one that the Supreme Court has handed down, as mentioned before, such a con-

troversial type decision that we had law enforcement that would not cooperate.

It seems to me that we would have to call on someone that had made the policy or helped make the policy or decision to help enforce it.

Now, they can solve any problems in four steps—purpose, plan, execution, and evaluation, and maybe we are evaluating these 2 days, but I would like to commend this Commission on taking some of these educational problems out of the hands of politicians and putting them back into the hands of educators and let us help solve our own problems. We wouldn't expect the lawyers and all the doctors and the others to be trying to solve our problems, and we appreciate an opportunity to be heard, and we thank the Commission for this opportunity.

Chairman HANNAH. Thank you very much, Mr. Crossno, and the other representatives from Anderson County. We are sure we could pursue this particular topic for a considerable period of time with profit to all of us, but if we are going to meet our time schedule, we must go on.

Mr. Tiffany, will you introduce the next participant?

Mr. TIFFANY. The next participant is Dr. John H. Fischer, superintendent of schools from Baltimore, Md.

Chairman HANNAH. While we are getting settled, the gentleman taking his seat over here is Hal Thurmond, chairman of our Advisory Committee from the State of Kentucky, one of our invited guests. We are happy to have you here.

#### STATEMENT OF DR. JOHN H. FISCHER, SUPERINTENDENT OF SCHOOLS, BALTIMORE, MD.

Dr. FISCHER. Mr. Chairman, members of the commission, ladies and gentlemen: We are frequently asked whether Baltimore is really a northern or a southern city. I suppose the only truthful answer is that we are both. We happen to be north of the Potomac, but we are also south of the Mason and Dixon line.

During the Civil War, Maryland remained in the Union, but as some of you know, Baltimore was virtually an occupied city with the mayor of the city in the Federal lockup a good bit of the time.

We now are a city of approximately a million. About 30 per cent of our people are Negroes. We have a school enrollment this year in the public schools of about 163,500. Of these children 53 percent are white; 47 percent Negro. In the elementary schools our enrollment is currently 52 percent Negro. From the fourth grade on down there is a majority of Negro children in all of our grades.

I should say that somewhere between 25 and 30 percent of our white children are in nonpublic schools, and a very small percentage of the Negro children are in those schools.

We are operating this year 176 public schools. Of these 89 are now integrated; 34 are all white; 53 are all Negro in enrollment. In 1954, before our new policy went into effect, we were operating 163 schools, of which 102 were white and 61 were Negro.

Our teaching staff this year consists of approximately 6,300 people. These are all professional personnel. Of this total about 3,800 are white, and about 2,500 Negro. We have integrated faculties; about 37 of our faculties now include members of both races; 73 of our faculties are all white; 66 are all Negro.

You might be interested in something of the background preceding the action of our school board to desegregate in 1954. Our policy did go into effect on September 1, 1954. Prior to our action in June of that year we had a long history of gradually improving relations between the races, within the school system itself, as early as the 1920's. We had been holding joint meetings of Negro and white staff members on some matters. This was not standard operating procedure in the 1920's, but it became so over the years so that by the end of World War II it would have been unthinkable for us to hold a meeting, let us say, of all first grade teachers and not have all first grade teachers sit together in that matter.

Our teacher organization, the local affiliate of the NEA, which is called the Public School Teachers Association, and the local branch of the AFL-CIO Teachers Union, have accepted members of both races as far back as I know anything about.

In our student bodies we had before 1954 a number of activities in which children of both races came together. For example, the junior Red Cross operated summer workshops for elementary and junior high school children to which children from all schools came. These activities went off without incident and with pleasure and profit on the part of the children. Our high school student council sent representatives to a citywide student council association. Representatives of all schools sat around the table at the same time.

Our schools had begun the practice of exchanging assembly programs. A glee club from a Negro school would sing at the assembly of a white school, for example, and the next week the band of the white school would play for an assembly in the Negro school. This kind of thing had been going for sometime prior to 1954.

When in 1947 our parent teacher associations in Baltimore decided to form a citywide council, our parents—who of course came from segregated schools in 1947—decided that they did not want a segregated city council of the PTA's, and so from the beginning that council was operated on a biracial basis.

In the community itself transportation had never been segregated. As a matter of fact, in the late forties Negro transit operators were employed by the local transit company.

Our parks have been operated on a strange basis. Negroes were admitted to the parks, but they were not permitted to play with white people on certain tennis courts. Certain courts were set aside for Negro players or for white players. The fact that the net was there didn't seem to make any difference. They still couldn't play on the same courts.

The swimming pools were segregated. Our theaters operated on another strange basis. We have two major theaters in Baltimore. In one of these Negroes could appear on the stage, but could not buy seats in the house except in the second balcony. In the other one Negroes could buy seats anywhere in the house, but could not appear on the other side of the footlights. Gradually this was straightened out so that before 1954 it became possible in Baltimore for Negroes to occupy space on either side of the footlights in both of our theaters.

We had Negro policemen for a long number of years, but in the late 1940's we began employing Negro firefighters, and they were assigned to previously white fire companies so that you had Negro and white firefighters living and sleeping together in the same quarters.

Our social agencies have for many years followed a pattern of interracial association. And in 1952, 2 years before the Supreme Court decision, our school board took an important step. At that time we had before us the petition of about 12 Negro boys for admission to the advanced college preparatory course in our Polytechnic Institute. This is a high school, all boys' school, which prepares for engineering colleges specifically.

One program there, the one that I have just referred to, is a unique program in our city, and to some degree in the country. Boys who complete it successfully have been admitted for years, some 50 years, as a matter of fact, to sophomore standing in the leading engineering schools of the country. This was an all-white school. There was no comparable program for Negro youngsters. Our school board, considering the evidence and considering the plans presented by the staff to set up a separate equal program, determined that even though the program which we proposed to establish in a Negro school would have the same curriculum, the same level of faculty, even if we had to transfer white teachers to make the faculty settled and would have equipment at least as good as that in the Polytechnic Institute, but probably better because it would be newer, the board determined that these boys could not enjoy the benefit of the 50-year reputation of the Polytechnic Institute, and therefore, since we could not give these boys equal treatment if we gave them separate treatment, we were obliged to ignore our local ordinance which required separate schools

and to comply with the then existing principles laid down by the Supreme Court in earlier cases that these boys would have to have equal treatment even though it meant putting them together, and so we admitted 2 years before the Supreme Court decision voluntarily on the part of our board 12 Negro boys to a previously white school.

Their admission went off completely without incident. Since 1954, with the exception of two disturbances, which I will not go into now, but will if you want to raise questions about them, our program has proceeded without any difficulty. As you could tell from the figures I gave you earlier, we now have a substantial amount of integration in our schools, both at pupil and faculty level, and the whole business is going very smoothly, very well, and without considerable acceptance on the part of the community.

What all of this adds up to is very difficult for one to say who has been as close to it as I have been. I do believe it is safe to say, however, that at least some part of our success is attributable to two facts; one, what we did seems to have been harmoniously related to our history. This was the biggest single step our community has ever taken toward desegregation, but it was in no sense a change of course. We simply kept moving in the same direction in which we had been moving for many years.

Second, the policy of the board was related to our current situation. The details of the plan I will be glad to go into if you have questions about it.

Chairman HANNAH. I would like to ask two or three questions. How many Negro teachers do you have in your school system? What percentage of Negro teachers?

Dr. FISCHER. Approximately 40 percent.

Chairman HANNAH. Do you have some Negro teachers in the schools that are all white?

Dr. FISCHER. Yes.

Chairman HANNAH. There is no substantial objection on the part of the white students to the Negro teachers?

Dr. FISCHER. No, no. We have had some scattered objections, but nothing of any significance.

Chairman HANNAH. Do you have any comments with reference to the performance of the Negroes that were formerly in Negro schools when they move into the white schools? Do the same students do less well, as well, or better than they did before, or do you have any comments?

Dr. FISCHER. We have no really conclusive data to offer you to support an opinion one way or another. It is our general opinion, based on long experience with children that the achievement of children in school tends to reflect their native intelligence and their home

background. There is a close correlation between the cultural background of children and how well they perform in school.

This is true of Negro children, and it is true of white children, and we can't see that putting a child beside another child of a different race makes any difference in his school achievement. His achievement is affected by many other factors, but not by that one.

Chairman HANNAH. Have the steps that have been taken since 1954 increased the number of Negro teachers or is the number just about the same?

Dr. FISCHER. The number has increased, but our total staff has increased. I would say the percentage is approximately the same as it was in 1954.

Chairman HANNAH. One more question. You mentioned your boys' technical high school. I think in some of the material you furnished us there was some reference to an all-girls high school.

Dr. FISCHER. Yes.

CHAIRMAN HANNAH. Because it has been suggested in various places in the South that desegregation would be less distasteful if the sexes could be separated, do you have any comments—and you indicated in the boys' school—has there been some desegregation in the girls' school? Do you have some Negro girls in your all-girls high school?

Dr. FISCHER. We have some desegregation in all but one of our senior high schools. We have one school which has remained an all-white school, largely because of the residential pattern, but in the remainder of our schools we have some degree of integration, with again the exception of three schools which have remained all-Negro. We have a total of 12 senior high schools in Baltimore. Of these eight have integrated student bodies.

The amount of integration varies from 3 percent to 30 percent Negro in the previously all-white schools. The previously all-Negro schools have remained completely Negro schools.

Chairman HANNAH. I recognize I am now asking a question that calls for an opinion only. Is it your opinion that the problems of desegregation would be lessened if the sexes were separated in the schools?

Dr. FISCHER. I doubt that this would be true. It may be in some situations, but certainly so far as we are concerned in Baltimore, we have had no problems in the schools, in the coeducational schools; that is, no problems that can be attributed to racial difficulties. We have the problems we had long before 1954. I expect we will continue to have them.

Chairman HANNAH. I think in some of the information you furnished us you made some reference to some picketing situations you had in 1954 or 1955. Could you take just a minute and tell us how



you handled them, and do you have any suggestions as to how to handle situations of that kind?

Dr. FISCHER. What happened in Baltimore was the first month of our new program in 1954 went off quite smoothly. We had no difficulty during September 1954. But on September 30 pickets appeared outside one elementary school. This was a school in southwest Baltimore, enrolling 12 Negro kindergarteners in a total student body of about 600 or 700. A sense of alarm and concern immediately spread throughout that neighborhood. This spread to other schools, and picketing began at other schools. The picketing was obviously organized in advance because it could not have arisen spontaneously as rapidly as it did.

The difficulty affected perhaps a dozen schools in southwest Baltimore, one or two in other parts of the city. During the Thursday on which it started and the Friday during which it continued the police maintained order but permitted the picketing to continue. The attendance in the schools fell off very badly so that at some of the schools we had virtually no children attending at all. The police continued to watch the situation during those 2 days and over the weekend.

In the meantime, many elements in the community were rallying to the support of the school board, and I should say without any instigation by the school board in that direction, such groups as the council of churches, some of the labor organizations, some of the women's groups, the parent teacher associations. These offered their services to us.

The council of churches, for example, on Friday morning sent a communication to all of the ministers who were members of that group, asking that they call attention to the situation in their sermons on Sunday. Many of the ministers did this.

On Monday morning the situation continued, but the police commissioner, having received legal advice over the weekend, was ready on Monday to announce that the picketing would have to stop because it was found to be in violation of two statutes. One makes it illegal to disturb a public school in session. The other is a part of the truancy statute which makes it illegal to attempt to induce a child to be illegally absent from school. The police commissioner announced by radio and television and press on Monday that on Tuesday the picketing would come to a stop. He said in the course of his remarks one thing which I believe is very important. He said the function of the police force is to preserve not only law and order, but respect for law and order, and this was precisely the basis on which the police force in Baltimore operated.

On Tuesday morning the picketing did stop, and on Tuesday we announced from the school headquarters that now that there was no longer any threat of violence or any need for concern for the safety of

children, on Wednesday we would continue, we would begin enforcing the school attendance law in the standard way.

By Wednesday our attendance was back to normal. We had no more difficulty that year.

In 1956, 2 years later, we had a small disturbance at Southern High School. About 250 students, I suppose, decided one sunny Friday morning in September to stay out of school and stage a demonstration. The principal and I immediately announced that there were many ways in which children or parents could make objections known, but they could not do so by violating the school attendance law. We immediately suspended all of the boys and girls who were involved in this demonstration and said that they could return to school only when their parents came with them and were able to reach a satisfactory understanding with the principal as to how they would comply with the law and school regulations from that point forward.

We have had no trouble since.

Chairman HANNAH. Was the picketing locally engineered or led by outsiders?

Dr. FISCHER. We have a feeling that it was related in some ways to the disturbances that had occurred in Delaware about a week before our disturbance broke in Baltimore. We did know that there were cars with out-of-state license plates distributing some of the picket signs. We know also that people in Baltimore were in touch with people who had been involved in picketing in other places.

We have reason to believe that some of what happened in Baltimore later affected the situation in Washington so that there seemed to be some outside influence at work, but we have never been able to pin down specifically just who or what was responsible for the situation.

Chairman HANNAH. Dean Storey?

Commissioner STOREY. No, sir.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. It seems that your progress is a result of years of work of building up good will and understanding among the people. Do you feel that that should go ahead of arbitrary orders?

Dr. FISCHER. Well, certainly in our case it did go ahead in school board policy. It seems to us that our success was very definitely related to what had gone on over the preceding, let us say, 25 years. Whether this was necessarily a prerequisite to what we did I cannot say. It certainly did precede it in our case.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. Doctor, may I ask you one or two questions about the population of Baltimore? What was the figure you gave of the population of the city?

Dr. FISCHER. The total population is about a million, of which about 30 percent are now Negroes.

Commissioner BATTLE. What percentage is Catholic?

Dr. FISCHER. I can't answer that specifically. I would estimate somewhere between—well, I would say about 35 percent, although with the shift in the racial composition of the population now, this is a little difficult to pin down, but I have heard estimates of something like 35 percent.

Commissioner BATTLE. Isn't there a rather considerable Jewish population?

Dr. FISCHER. Yes; and I have heard this estimated at about 10 percent.

Commissioner BATTLE. People of Italian extraction, do you have any of those to speak of?

Dr. FISCHER. We have some. I couldn't cite the percentage, but it wouldn't be very large. I would say certainly less than 5 percent, possibly no more than 2.

Commissioner BATTLE. So it would appear from these figures that your white Protestants are about 20 percent of your population.

Dr. FISCHER. Well, I would guess there is substantially more than that. These figures are at best very rough estimates. I would assume that we have more than 20 percent white Protestants.

Commissioner BATTLE. I was just trying to approximate and get some idea of the situation. Thank you, sir.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Mr. Fischer, some of the questions I would like to ask, again as the chairman has mentioned, relate to opinion, and I understand that you just have to guess at some of these things, but I think they indicate trends.

One thing, I would wonder, and it would seem to me from the way your community was going that almost on its own steam, within a matter of 20 or 30 years you might have accomplished what you accomplished under the impulse of the Supreme Court law decision; is that correct, do you think?

Dr. FISCHER. This is entirely possible, Father. As a matter of fact, we had determined before the Supreme Court decision came down in the spring of 1954 that that summer we would desegregate our adult education program. Our local ordinance required that separate schools be maintained as the ordinance had it for children of the colored race. It said nothing about adults, and therefore we had decided, beginning with the summer session of 1954, to desegregate adult education, and that was done in the summer of 1954 without incident.

Commissioner HESBURGH. I presume again, following Governor Carlton's remark, that because of this your job was made much simpler.

You had a general progression toward a goal which probably was speeded up. You may be one of the communities where the whole progress was helped by the Supreme Court decision or at least brought to a head, but that it is difficult to make the same conclusion for other places in the deeper south where there is not this movement in that direction and where perhaps instead of a community understanding, a very understandable point of view quite the other direction.

Dr. FISCHER. Yes.

Commissioner HESBURGH. And that in this case the Supreme Court decision has quite different results of solidifying opposition.

Looking back on all the measures you took, would you say that today you would pretty much go in the same direction?

Dr. FISCHER. Yes, I think we would. You see, the essence of our policy at the time the change was made was to do as little coercing—well, to do no coercing whatsoever in putting children into specific schools. We continued to operate our schools after September 1, 1954, precisely as we had up to that point with one exception, and that was that from that point forward the race of a child would be no consideration in any decision made about that child.

This meant that children who were already in school stayed where they were unless they asked to transfer. If they asked for a transfer, we applied all of the usual tests, but we didn't ask the child's race. When a child applied to enter a school, whether he came with his parents to enter the kindergarten or junior high or senior high, we asked all the usual questions, but we didn't ask the question of race. This meant that there was a maximum of opportunity, a maximum of freedom, to choose one's own school, to remain in it, or to leave it as one chose, and the consequence was that at first there was very little movement from one school to another. As a matter of fact, the integration that we have experienced since 1954 has come about as a result of natural movement of population rather than requests for transfer from one school to another.

Commissioner HESBURGH. What you seem to be illustrating here then is that the actual problem is not so much one to get an integrated school as to have the opportunity if one should want to get an integrated school. Once that opportunity is made clear—at least we have had quite a bit of evidence these past days—that the opportunity is not necessarily used.

Dr. FISCHER. Father, we said repeatedly that our purpose was to open the doors of all of our schools to all children without discrimination, but not to push or pull anybody through a door. We have said that we believed it wrong to manipulate people to create a segregated situation. We believe it equally wrong to manipulate people to create an integrated situation. We believe it wrong to manipulate people.

Commissioner HESBURGH. If I might express a personal opinion, I think you have used a great deal of wisdom and very wisely with very good results.

Dr. FISCHER. We have had a very good board and a very good community in which the board could work.

Chairman HANNAH. We have a few minutes for the participants to ask questions.

Mr. BEN L. SMITH. I should like to make an observation and ask a question. It seems to me in all of the discussion we have had it has been apparent that the school people themselves, administrators and teachers, have been more ready to acquiesce or accept this and to carry through than the citizenship in general. Is there significance to that?

Now, even in Baltimore Dr. Fischer has pointed out that the school board went ahead of the law pertaining to segregation and did accept some persons ahead of the removal of the segregation law.

Is there significance to this, do you think, Dr. Fischer, that the school people have gone ahead of the folks? I call attention to the fact I think in Virginia the Virginia Education Association asked for the opening up of the schools, I believe, even if it meant some integration.

Dr. FISCHER. Mr. Smith, I would say so far as we know we have not gone ahead of any applicable law. We have tried as conscientiously as we know how to obey both the letter and the spirit of the law. When we proposed to desegregate our adult educational program, it was on our understanding that we were not bound by the law to a segregated adult program.

When we admitted the Negro boys to the Polytechnic Institute, it was because we recognized that the Supreme Court decisions then standing took priority over our local ordinance. It would seem to me, though, in general, responding to what you say, that while we recognize that the kinds of changes that we want must occur in the hearts and minds of people, that the school has an enormous responsibility for what happens in the hearts and minds of people.

The school, aside from the church, is the one institution we create in society to influence the content of men's minds and the quality of what goes on in those minds.

We believe also that the influence of the school is related to much more than merely what the school teaches. What the school does is much more influential than what it verbalizes, and so we believe that this is one reason why in the schools we must not simply wait for things to happen. We must help in sound, psychological and education ways to encourage the right things to happen.

That is what education is for.

Dr. PULLEN. Mr. Chairman, could I add something to what Dr. Fischer has said? He has emphasized two things, that the success in

Baltimore has been determined very largely by the fact that it was settled in a climate of good will and understanding between the races. I should like to add one incident. The State board of education operates a teachers' college on the outskirts of Baltimore, which houses some 1,400 or more students.

Immediately upon the decree of the Court that was opened up to both white and colored, and we have a few there. I am not sure of the number, possibly 40 or 50 or more out of the 1,500. But in the city of Baltimore, on West North Avenue—one of the anomalies of Baltimore, West North Avenue—we took over an institution which had been opened years before by the city, Coppin Teachers College, now Coppin State Teachers College. It has some 300 students.

When this question came up of integration, there was some suggestion to the effect that the State board integrate by coercion, if you please, or by decree, the two institutions or integrate them forcibly, eliminate one.

The State board, in my opinion very wisely, following the principle of settling all of these things by direct communication between the two races, said this, that both institutions are open, and let nature take its course.

It was my duty and my privilege to go before the school, its patrons, and to explain the position and to say to Coppin State Teachers College that while we do not want an exodus from the fourth or third or second year because of the organization, you can settle tomorrow whether Coppin exists or not, and the answer was quite interesting.

The answer is that now that they can go, they know that some of their people will go. On the other hand, in this particular situation this institution presents certain values to them, more than will go if this institution is maintained, and they wish we would keep it open.

So the position of the board has been just this, that that institution is to be maintained just so long as the people support it, and of course the standards are pretty high, we think.

What I want to emphasize and I think is the crux of all this—you can excuse me, sir, because we are rather full of this thing—teachers and school people generally are pretty decent people, next to the ministry, and we are not talking exactly compliance with the law. That is purely legalistic. We leave that to our judicial friends and others, but this is a matter of acceptance of a new way of life, and it cannot be settled by one race or one group, and I feel as Dr. Fischer has done in Baltimore and Dr. McCullough has done in Talbot County, and I think what is being done throughout the South is honestly trying to find some ground upon which their problem can be settled, and it is all tied up inextricably with the local situation. It is not in isolation in education. It is economics and all the other things that go to bring about prejudice.

If we can maintain the communication between the races, I am not as disturbed about it as I have been at some other time. I hope you will forgive me for taking the time.

Chairman HANNAH. Thank you very much, and thank you very much, Dr. Fischer, for a fine presentation.

WRITTEN STATEMENT OF JOHN H. FISCHER, SUPERINTENDENT, BALTIMORE, MD.,  
PUBLIC SCHOOLS

I. THE FACTS

The events which led to the successful desegregation of public schools in Baltimore began long before 1954. Joint meetings of Negro and white teachers were held as early as the 1920's and by the early 1950's no separate meetings were held on any school matters affecting both races. The first Negro member was appointed to the school board in 1944 and the first Negro assistant superintendent in 1945. Negro supervisory staff members had long served Negro schools but from the early thirties they worked more and more closely with the white supervisors.

Integration had progressed on a voluntary basis through such activities as the exchange of musical programs between Negro and white schools and the participation of children of both races in summer workshops of the junior Red Cross. A citywide council of PTA's was organized in 1947 on an integrated basis. While the associations in the individual schools were segregated, the executive committee of the council included Negro members from the beginning. Both the Public School Teachers Association and the AFL Teachers Union had included Negro members for many years prior to 1954.

Outside the schools, one activity after another in the community had been desegregated. For a number of years Negroes had been employed in Baltimore as policemen. In the 1940's they were employed for the first time as firefighters, and the new Negro members were integrated into existing companies with white firemen. At about the same time the local transit company employed Negro bus operators for the first time. The decision of the school board to desegregate the public schools was the largest single step toward racial integration ever taken in Baltimore but it was in no sense a change of course.

Perhaps the best way to summarize the action taken by the Baltimore school board in 1954 is to say that it was prompt, complete, and free of coercion. The Supreme Court handed down its decision on May 17, 1954, declaring that segregated schools were inherently unequal and consequently a denial of the rights guaranteed all Americans by the 14th amendment. The Baltimore board immediately asked its lawyer, the city solicitor, for his opinion as to the effect of the Court's decision upon the local ordinance which up to that time had required separate schools. His answer, prompt and unequivocal, was that the local ordinance had become "unconstitutional and invalid." On June 3, 1954, immediately upon receipt of this opinion, the board by unanimous action directed that on September 1, 1954, the "school system should be conformed to a nonsegregated basis." One week later the board approved the superintendent's recommendations on administrative procedures to translate the new policy into practice. The changes were simple, and consisted of three brief points:

1. The school system would continue to operate in the future exactly as it had in the past, with one exception. Beginning September 1, 1954, the race of a child would not be considered in any decision made concerning his education.

2. As in the past, no child was to be required to attend any particular school. This was in accord with the long standing policy of the Baltimore schools to permit parents to select virtually any school in the city for their children excepting only those schools which were so badly overcrowded as to require the establishment of district lines about them. The effect of such lines has always been to prevent children living outside the district from coming into an overcrowded school but they have never prevented the transfer of a child from such a school to another which was not in itself districted.

3. In the employment, assignment, and promotion of staff members the long standing policy of respecting relative merit was to be continued. It was stated that no person would be denied any opportunity because of his race and that the purpose in the future, as in the past, would be to assign each employee to that

position in which he is likely to render his best service to the school and to the community.

No special preparation was made to prepare staff members for desegregation. While teachers had long worked together in workshops, committees, and other forms of professional work, no special activity was set up to study the problems or procedures for desegregating or integrating the schools. A meeting was called however by the superintendent on June 14 for one-half the staff, and on June 15 for the remaining half, to discuss the practical implications of the new policy and to answer questions that had arisen in connection with it.

When the schools opened in September 1954, of the 57,000 Negro students, some 1,700 enrolled in previously white schools. Most of these were kindergarteners and first graders whose parents simply registered them in the schools nearest their homes. A few hundred older children registered in junior and senior high schools, some of them in the schools nearest their homes, others in the schools they chose on the basis of reputation or personal preference.

The first month of school desegregation in Baltimore proceeded without incident—until the last day. On the morning of September 30, 1954, a group of women formed a picket line outside a southwest Baltimore elementary school in which 12 Negro kindergarteners had been enrolled. The picketing, which aroused considerable neighborhood apprehension, spread during that day and the next to about 12 schools. In all of these schools attendance was seriously affected on Friday, October 1 and the following Monday, October 4. The police at first permitted the picketing and were able to maintain order, except for a brief period on Friday afternoon following dismissal at the Southern High School.

On Monday the Police Commissioner announced that the picketing would be stopped since it was in violation of two State laws. He referred to a section of the truancy statute which prohibits any effort to induce a child to remain out of school and to another law which prohibits the disturbance of a school in session. On Tuesday, October 5, the picketing was not resumed and on Wednesday school attendance returned to normal.

No further disturbance occurred in the Baltimore schools until September 1956. One week after the opening of schools that year, a group of some 200 senior high school students remained away from classes and formed an impromptu parade of protest in the neighborhood. All who were involved were immediately suspended from school and denied readmission until their parents visited the school with them to arrive at suitable understandings about the future conduct of the children. The incident lasted no longer than a half day and there has been no trouble in any school since that time.

It may be interesting at this point to examine the racial distribution of pupils in the Baltimore schools. While a child's race makes no difference in the school's treatment of him, we do regularly record a child's race as a part of his personal history and each year on October 31 we tabulate the distribution of enrollment in the schools by race. The differences in the characteristics of the Negro and white population must be taken into account if we are to make accurate predictions of school enrollment increases. On October 31, 1958, the Baltimore public schools enrolled 163,542 pupils of whom 85,931 were white and 77,611 were Negro. Of our total enrollment this year 53 percent is white and 47 percent is Negro. The elementary schools enroll 104,921 pupils, of whom 52 percent are Negro children. The secondary and vocational schools enroll 58,621, of whom 39 percent are Negro pupils.

We are operating this year 176 schools. Of these 89 now enroll children of both races, 34 have only white pupils, and in 53 all the pupils are Negroes. Almost 94,000, or 57 percent of our pupils, attend integrated schools. Almost 60,000 or 69 percent of the white children are in such schools and about 34,000 or 44 percent of the Negro children attend integrated schools. Of the 105,000 elementary school children almost exactly half are in integrated units. In the integrated elementary schools, 52 percent of the pupils are white and 48 percent Negro. The percentage of each race in individual schools varies widely. One school, for example, enrolls 1,710 Negro children and 1 white child. Another enrolls 605 white children and 1 Negro child. Another, split almost evenly, enrolls 374 Negro children and 383 white children. In general, it may be said of the elementary schools that the student bodies reflect the neighborhoods. A predominantly white neighborhood will have a predominantly white elementary school; Negro neighborhood will have all or largely Negro pupils in its elementary schools. When the residence patterns of a neighborhood changes, the elementary school changes with it—often at a rapid rate.



At the secondary level, the situation is somewhat different. While junior high schools are more or less neighborhood schools, they cover larger attendance areas than elementary schools and consequently change somewhat less quickly. In most of our junior high schools the enrollment is predominantly of one race but one junior high school includes 830 Negro pupils in its total student body of about 1,900. Another, with 2,300 students, includes 508 Negro children. Several of the junior high schools have completely Negro student bodies, but only one has an all-white student body.

The senior high schools follow yet another pattern. Of the total senior high school enrollment of 21,574, 16,312, or 75 percent of the total, are enrolled in integrated school bodies. In the integrated senior high schools, Negroes form 14 percent of the enrollment and white students 86 percent. Three high schools enroll only Negro pupils and one is entirely white. The eight others are predominantly white, with the Negro enrollment ranging from 3 percent to slightly over 30 percent.

The teaching staffs of the Baltimore schools have also been integrated since 1954. Prior to that time the schools for Negro children were staffed entirely by Negro teachers and the white schools by white teachers. This year, in our 176 schools, 37 have integrated faculties, 73 faculties are composed entirely of white teachers, and 66 entirely of Negro teachers.

## II. EDUCATIONAL RESULTS

We are frequently asked what effect integration has had upon academic standards. The answer is that academic standards are not changed in any school merely by the presence of a second race. The requirements for an honor's diploma or for a passing grade on an examination are not altered by integration. The tests of successful performance in courses in the skilled trades are the same whether the trade is being learned by a white boy or a colored boy. A child's standing on a nationally standardized reading test is determined not by his race but by his ability and background. Desegregation has no more effect on academic standards than it has on the yardstick by which a pupil's height is measured.

What does happen, of course, is that as white and Negro children of poorer social, economic, and cultural backgrounds enter a school the average achievement for the school as a whole has declined. But those individual children who are capable of outstanding work continue to perform at a high level, and those who are slow do less well. Neither the Supreme Court nor the Baltimore school board can change the basic intelligence of a child.

As more and more of the families of stronger cultural background have moved to the suburbs and have been replaced in many cases by others that have known few advantages, the problems of the schools have naturally increased. This change in the schools reflects the change in the families now forming a growing fraction of our population. It is felt whether the children attend all white, all Negro, or integrated schools.

One clear gain since 1954 is that Negro children now have the opportunity to choose any junior or senior high school in the city and, if they have the necessary qualifications, may enroll in any of the curricula offered. Such opportunities were not available to these children before 1954. To say that we might have set up such curricula in Negro schools if they had been requested by Negro children is beside the point. Many of them were not offered in colored schools and were therefore not available to the individual Negro children who might have wanted them. There is no doubt at all that Negro children are receiving better educational opportunities in Baltimore now than they did under segregation. The opportunities of white children have been in no way diminished. Indeed, they have been increased, not as a result of desegregation, but by our general effort to improve our offerings for all children over the past 5 years.

## III. PUPIL RELATIONS

Another question frequently asked has to do with informal relationships among children. Do they get along together? One area of interest is interscholastic athletics. In our senior high schools Negro students now participate in all sports. Although in the early years there was some apprehension about the advisability of interracial competition, particularly in contact sports, the problem no longer causes any concern. All of our high schools play each other, and the question of Negro teammates or opponents causes no more trouble in

the schools than it does in collegiate or professional sports. Increasingly in athletics players are accorded whatever attention their competence merits, and race has become irrelevant.

We are often asked about school affairs. Have school dances, for example, had to be discontinued? All our traditional social activities have continued in the newly integrated schools just as they were carried on prior to 1954. The conduct of the boys and girls usually reflects the pattern of the community as a whole. Students dance with their own dates or with the members of the small parties in which they come to the dances. This means that boys and girls ordinarily associate socially with others of their own race.

In school clubs and other similar activities racial differences create no problems. In voluntary activities outside the school, there is relatively little integration. Most children choose their personal friends from among members of their own race and, as is true in the community generally, not many close friendships involving home visiting are formed across racial lines.

Concern is expressed about behavior problems. It is only accurate to point out that we do have such problems. We had them before 1954—in Negro schools and white schools. We have them today in all schools and woefully expect to have behavior difficulties as long as we have boys and girls. A child's department almost always reflects the quality of his home background, but very few of the incidents that occur in our schools can be attributed to racial differences or racial conflict.

Several years ago we had an acute problem in one school in which some of the older boys were shaking down younger boys on their way to school and taking lunch and carfare money away from them. We went into the problem immediately and settled it in short order. The school happened to be an all white one, with no Negro youngsters involved in any way. At other times we have had difficulties involving fights and similar disturbances and some of these have involved Negro children. But no Negro child has ever brought into any of our schools a problem that had not already been presented somewhere by a white child. Nor has any white child been able to claim much originality for his race in inventing new forms of misbehavior. We find that these are a function of the child's total life situation and are always due to a number of factors. It is never possible to explain a child's behavior simply in terms of his race, or to classify children's problems on a racial basis.

#### IV. WHAT WE HAVE LEARNED

In general, our experience in Baltimore has demonstrated conclusively that children of both races can attend school together, can learn together, and can develop positive, friendly, effective relationships.

We have found that children can be taught quite well by teachers who are not members of their own race. Teaching competence is not related to race, but to the teacher's personality, his own education and cultural background, and his ability to understand young people.

We have learned that, after a period of adjustment to an unaccustomed situation, children, teachers, and parents have found that having representatives of both races in the student body and in the faculty in no way diminishes the effectiveness of the school.

We believe that our experience supports the generalization that school integration can be successful if the policies and procedures by which it is carried forward are simple, firm, fair, flexible, clearly stated, consistently applied.

After 5 years, it appears that no small part of the success of the effort in Baltimore was due to the determination of the school board to move promptly and to act, as the board once said, "without fear and without subterfuge." It is clear also that the success of our school integration program has been closely related to the spirit of constructive tolerance which characterizes our entire community. The smooth operation of our schools in the past 5 years has been possible only because the vast majority of Baltimoreans have responded to the leadership of the school board and have supported a school program which assures equal opportunity to all our children.

Mr. Tiffany, will you present the next presentation?

Mr. TIFFANY. Dr. Omer Carmichael, superintendent of schools in Louisville, Ky.

**STATEMENT OF DR. OMER CARMICHAEL, SUPERINTENDENT OF SCHOOLS, LOUISVILLE, KY.**

Dr. CARMICHAEL. Mr. Chairman, first a word about the city of Louisville. It is not a typically southern city, but it has a strong southern flavor. It is a rapidly growing community, a community around the city growing more rapidly than the city itself. It has diversified industries; 99 plus percent of the population is native born. There are roughly 33 percent Catholic; 17 to 18 percent Negro.

The school district is not conterminous with the city. It is about 10 percent smaller than the city itself. The board of education consists of five members elected from the city at large, not by wards or districts. One of the members is a Negro elected last November, and the first Negro to serve on the Louisville board of education. We have for years had one Negro in each year, I think, for the last 15 or more, on the board of aldermen. There is also one Negro from Louisville on the State board of education.

I mention that to show that the Negro has been reasonably recognized.

Incidentally, this Negro elected to the board of education last November could not have been elected by Negro votes alone. He had to get a goodly number of white votes.

As superintendent of schools I find no difficulty at all in accepting a Negro on the board. I think he will make us a good board member, and I think he will be helpful in the problems of desegregation.

On the question of preparation for the change which became necessary as we saw it after the court spoke on the question of desegregation or segregation, I would go back for 10 to 15 years. I think what John Fischer has emphasized in connection with Baltimore is particularly true with Louisville. If I may be personal for a moment, I served as superintendent of schools in Lynchburg, Va., for 13 years immediately before going to Louisville. The Louisville school system was very rigidly separated between the two races. I had been accustomed from the middle thirties on in Lynchburg to have a meeting of Negro and white principals together, selected committees of Negro and white teachers on occasion, but that had not been done in Louisville, and it was 3 or 4 years before I felt the way was entirely clear to do it there, so it was in the late forties in Louisville that we moved in very far in that direction.

I do think that that good human relations program, interracial, preceding the decision of the court was important, not in specific preparation, but the kind of general preparation which was very helpful. When the decision of the court came on May 17, 1954, on that very day, as superintendent of schools, I gave a statement something like this, knowing the temper of the board and knowing that the board

was ready to support but not officially action of the court authorizing it. I simply stated that the decision of the court would be law, that as superintendent of schools I would expect to carry it out, and without undue delay and with no effect at all at subterfuge, that in carrying it out the first consideration would be children for whom the schools exist; and second would be teachers, by which I mean no Negro teacher need fear the loss of a job; and third, we would consider parents. The children first and then teachers were considered.

We moved immediately on a period of intensive preparation, so in the intervening year between the two decisions we went into one of the most intensive periods of preparation for a job that I ever had the privilege of having us share in.

We concentrated the first semester of the school year on our children and our teachers, asking every teacher to be working with children just one simple goal—that the children who are in his or her class or room will be ready to meet all other children more than half-way when the time comes in the program. Also, we asked every teacher to be discussing the question informally with her friends and his friends.

With more than 1,800 teachers doing this we were reaching the community. Also, every teacher was working with her children, as I said, and with nearly 50,000 children going home every night and talking about it, we were creating a readiness in the community for the public meeting which began with the end of the year.

We had tens of thousands of people in attendance at those meetings with the most wonderful participation that you could imagine, and on a very, very high level, and we were exceedingly pleased with the way that worked out. The board was never asked to take any official action on the question until on Monday following the final decision of the court. On May 31, 1955, the simple action taken at that time on the recommendation of the superintendent was that the superintendent is instructed not later than mid-November, which was 6 months later, to present to the board a plan for desegregation which would indicate the time of beginning and the way in which it would be carried out.

That plan was developed with a great deal of cooperation. We didn't, as white people, develop it for the Negroes. Negro and white alike developed the plan for all. I think that is one reason why it got the general acceptance. It wasn't something imposed on anybody, but it was developed by all together. It was presented to the board at mid-November meeting with the request that it lie on the table for 30 days with an invitation to any and all to submit in writing any suggestions for change.

In the 30 days the amazing thing is that 1 and only 1 suggestion was offered by anybody for change. That was rejected because it had been

carefully studied before. The plan was adopted in mid-December, and we proceeded to work to develop it. Briefly, we redistricted the entire city, wiping out the white districting and the Negro districting, redistricting without regard to race, giving each building its load of pupils, and no gerrymandering or unnatural boundaries of any kind whatsoever.

That done to 45,000 homes or the homes of 45,000 children, we sent a notification something like this:

On redistricting to end compulsory racial segregation, your child belongs in blank school. If you prefer another, indicate below first, second, and third choice, and your wishes will be respected as far as space and schools of your choice will permit.

What I want to call attention to particularly is that we didn't leave the question of segregation to the initiative of the parent. It took parents' initiative to get out of a desegregated setup if by residence desegregation came.

For 11 percent of the 40-odd thousand children requests of transfers were made. Ninety percent of those requests received their first choice. Most of the others got a second or a third choice, but a few we couldn't accommodate at all. When that had been worked over, we sent another letter to homes, not just the 40-odd hundred asking for transfers, but to the 45,000 children, reporting, explaining, what had been done, and saying, "Your child will report to blank school next September. We appreciate the way you have cooperated with us. We hope the child will enjoy his school home whether old or new," and in that way, in April or May preceding September, everybody knew where he would go to school the next fall.

We opened in the fall with a minimum of difficulty. We were threatened with some picketing at schools which did not show up. Instead, they picketed the superintendent's office, but the pupil-pupil relationship and the teacher-pupil relationship was unusually good. We all agree that it was the smoothest opening we had ever had, due in large measure, I think, to the intensive preparation for it.

At present we have about this situation. It is not material which was distributed yesterday. We have a total of 74 schools. Fifty-seven of them have both races, and they enroll 78 percent of the pupils. Nine of them are all white, and they enroll 11 percent of the pupils. Eight of them are all Negro, and they enroll 11 percent of the pupils.

To put it another way, 88 percent of all of our white children are in schools that are biracial, and 54 percent of all of our Negro children are in schools that are biracial.

Desegregation each year since we began it has increased a little over the preceding year, and in both directions. That is, more Negroes have gone into previous white schools, and more whites into previous Negro schools.

Now, if I can answer questions, I will try to answer them.

Chairman HANNAH. I would like to ask the same questions I have been asking most of the superintendents. Do you have any observations with reference to the average quality of performance of either the Negroes or the whites after they move from the separated into the desegregated schools?

Dr. CARMICHAEL. I will answer that a little bit in detail. We happen to have, due to planning of my predecessors there, very complete test records for many years back, and you are on an area that we had a great deal of discussion about in our community. Those records indicate that over the years the Negro children have achieved substantially lower level all the way through the system than have the white, and that question has caused, as I said, a lot of feeling on the part of some who have misunderstood. We have never said that there is any difference in the native capacities of the two. We say that psychologists and anthropologists say that there are no provable differences in native capacity among the races, but there are differences in the Louisville school system in the achievement of the children of the two races.

By sixth grade our Negro children are approximately 1 year and 4 months behind our white children.

Now, you asked, if I got your question, in the desegregation what, if any, changes we have observed. It happens that one of our principals on sabbatical leave last year wrote a doctor's thesis on what happens to scholarship or to achievement of pupils in a school system in the process of desegregating. His findings can be summarized in about this statement, that there was definite improvement in the 2-year period in the achievement of both races. The achievement of the Negro children increased markedly more than did the achievement of the white children. He also separated the children by the degree of mixing of the two groups; that is, if the Negro group is only 10 percent, if it is between 10 and 20, and if it is between 20 and 30, and in all cases the Negro child achieved more successfully in the integrated situation than he had before, but there was also improvement in these all-Negro schools, and so it isn't too conclusive as to whether there is benefit, but there was certainly improvement, and it is statistically significant for the Negro at all levels, and the white did not suffer. The white slightly improved, but not as much as the Negro.

Chairman HANNAH. In some of the material that I read that you had presented to us earlier I got the impression that you hadn't moved quite as fast as some of the other communities with reference to the integration of your teachers.

Dr. CARMICHAEL. We have done no integrating of faculties whatsoever, in other words, our schools that were all-Negro faculties, prin-

cipal and teachers. One of those schools has now 25 percent of its membership white, and those white parents and white children have given us no serious problem at all, and it is all the way down to one, two, or three white children in some otherwise Negro school here and there.

We have been a little stubborn on this question of desegregating faculties because we thought it would invite a considerable opposition which we do not have to the desegregation of pupils, and in spite of the fact that NAACP and the Urban League, the local Negro press, the Negro ministers of the community, and a good many others have pressed with considerable vigor, not unkindly, unless perhaps the Negro press has been a little aggressive on the question, we have nevertheless felt it was not quite the time yet to desegregate faculties.

Chairman HANNAH. One more question. Has there been any increase in your serious disciplinary problems?

Dr. CARMICHAEL. Contrary to what has been answered by others, I will have to say to you there has been somewhat greater difficulty in matters of discipline, due more to the emotional reaction, I think, than anything else. If two white boys scrap, you don't think too much about it, but when a Negro boy and a white boy scrap, it was blamed on desegregation, so I will have to tell you honestly, we have had somewhat more trouble than we would have had, I think, without desegregation, but substantially less than I feared we would have. In other words, it has worked better than I thought it would work.

I must pay tribute to principals and teachers who have been exceedingly alert, very careful, and at tremendous personal—I won't say "sacrifice"—but teachers working under that kind of determination to make something work, it just takes a little more out of them than under a normal situation.

Chairman HANNAH. Dean Storey?

Commissioner STOREY. No questions.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. You speak of the improvement in achievement of the Negroes in the integrated school. Did they make like improvement where their schools remained segregated?

Dr. CARMICHAEL. Yes, sir; they did; approximately the same.

Commissioner CARLTON. Then you speak of the improvement of achievement in the whites in those integrated schools. You do not attribute that to the integration.

Dr. CARMICHAEL. The improvement of the white is very slight. It is hardly—it is not statistically significant. The improvement of the Negro is definite, is much higher, and is definitely statistically significant.

Commissioner CARLTON. Did the whites make similar improvement in their segregated school?

Dr. CARMICHAEL. Yes.

Commissioner CARLTON. So you would not attribute this improvement to the integration.

Dr. CARMICHAEL. I would not attribute the improvement in case of the white to it. May I take just a moment to explain one reason why I think the improvement in the achievement of Negro children came about in the all-Negro schools. We have been exceedingly frank in facing every single question, such as difference in achievement of white and Negro children, difference in competence, in my judgment, of Negro and white teachers, and because I have been frank on that, I have been under exceeding criticism from some of my Negro friends on the question, and I think our Negro teachers have had a challenge to prove their superintendent wrong. For example, here is the Negro faculty, all-Negro student body. These teachers determined to do the job so well that the superintendent has to change his mind about the average Negro teacher not being as good as the average white teacher.

Commissioner CARLTON. You have emphasized that your approach has been largely voluntary. In other words, you were not enforcing this improvement.

Dr. CARMICHAEL. That is generally true, but there was a certain amount of it that more or less forced. For example, we had four small pockets of Negro population for whom under the segregated setup we had small Negro schools, three and four teachers. We abandoned those schools, sold the property, and put those children in the nearby white schools. We were burning our bridges behind us, so to speak, deliberately, and those children didn't have to go to the nearby white schools; they could travel longer distances and go to the schools that were either all-Negro or largely Negro, but almost to a pupil they did go into those nearby schools. That was the nearest coercion in the matter of attendance.

Commissioner CARLTON. Do you feel that it makes the transition easier and better whenever you permit the voluntary?

Dr. CARMICHAEL. That is consistent with our philosophy there in dealing with everything as far as we can. We let it be on the voluntary, permissive basis instead of a required basis.

May I say in connection with all this, I think the greatest thing that we had was the identification of the community with it. That is what has given us stability. We have had white citizens councils there trying to give us trouble. They brought John Kasper up, advertised by handbills, thousands of handbills thrown over the city, and they got 43 people to their meeting. It was the most amazing, greatest tribute to our citizenship of anything I have ever seen. They got 43 people,



and 8 of them were sociology students from the University of Louisville.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No questions.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Mr. Carmichael, could you tell us briefly about this organization, Youth Speaks, what effect it had and what promise it might have for others?

Dr. CARMICHAEL. Yes. Youth Speaks is a group of almost wholly juniors and seniors in high schools of the city and county public and parochial and private schools. It has been going, I would say, about 8 years. I am not exactly sure which. It predated the first decision of the court by 3 or 4 years. It is interracial and public and private and parochial, city, county, and Negro and white. It is voluntary, of course.

One of the important things that it does, each year it holds a sort of a workshop in which it addresses itself to certain problems selected in advance. About 600 young people will meet; it will be handled wholly by the young people themselves, all of the mechanics worked out by them. We just had 2 weeks ago next Saturday, I guess it was, this spring session. There were about 600.

They had an orientation by an adult who happened to be a member of the local board of education, who talked to them. Then they broke into groups of 18 to 20 each, of which there must have been about 30 such. Each group was presided over by a discussion leader who was a student, a recorder who was a student, two adults who were so-called consultants, but in reality they were more observers because they seldom had a comment to make. The only thing they would do, if a student seemed to get clear off on a factual question and the adult could correct, that would be done.

Now, that gave our youngsters at the high school level several years of experience one with another. Each of those discussion groups included always some boys, some girls, some Catholics, some Protestant, some Negro, some white.

Incidentally, we had such institutes led by the National Conference of Christians and Jews for several years, beginning about 1948, involving at times as many as 800 teachers; some at other times being half teachers and half citizens, so that teachers and citizens got acquainted with one another, Negro and white, working together.

Youth Speaks was a very important asset in preliminary preparation.

Commissioner HESBURGH. I will make this very brief. I just want a statistical fact if you can recall it. Of the 45,000 students who were reassigned, you say that 11 percent asked to be assigned to some other school than was originally intended. I want to know two things.

First, can you recall the percentage of whites and Negroes requesting reassignment; and secondly, of the Negro percentage which ones were from those assigned to predominantly white schools?

Dr. CARMICHAEL. I can't recall the precise division of the 11 percent between Negro and white. I do know this: Of the Negro children who by redistricting fell by residence into what had been white schools, 45 percent asked to be returned to their former schools.

Now, that is about the same percentage given by some others.

Now, the corresponding percentage of white children was 85 percent. To be perfectly honest, the amazing thing to us was that 15 percent of the white children who by residence fell into what had been Negro schools accepted, their parents accepted for them.

Now, the former Negro school. It didn't turn out quite that way in the end because when we opened in September, Clinton, Tenn., was already in turmoil, and Mansfield, Tex., Clay and Sturgis, Ky., and the result was that some of the 15 percent asked for transfers at the opening of school, and we granted them, and some of the 55 percent of Negroes asked for transfers. We had Clinton, Clay and Sturgis, and Mansfield, Tex., together reducing quite perceptibly the amount of integration which we would otherwise would have had.

Commissioner HESBURGH. Thank you.

Chairman HANNAH. We will take just one question from the panel.

Dr. MILLER. Dr. Carmichael, your experience with reference to the improvement in academic achievement of the pupils since integration went into effect is similar to that we experienced in Wilmington. We would like to think that this had very little relation to integration but more to the beginning of results of a definite drive to improve instruction on all levels, of teacher workshops, of improvement in method, improved supervision, improved all along the line in our instructional program.

Is there anything comparable to that in Louisville?

Dr. CARMICHAEL. I think what I said bears that out because there was improvement in the schools that were biracial, there was improvement in the all-Negro schools, there was improvement in the all-white schools. We were concentrating on our problem, we were doing the job a little better than we had ever done it before. It was all around improvement, but as far as we can tell, integration did not reduce it greatly, and it helped it for the Negro children who had the integrated experience, apparently.

Chairman HANNAH. Mr. Smith of Greensboro.

Mr. BEN L. SMITH. I am sure Dr. Carmichael is familiar with the question as to the validity of a measuring stick as between the white and Negro race and economic bridge. To what extent, Dr. Carmichael—and you seem to have more complete information than any-

body else—has this invalidity entered into the difference in achievement?

Dr. CARMICHAEL. I am no testing expert, but I accept the judgment of those who are expert in the field that the so-called standardized tests do discriminate to some degree against the Negro or against the Puerto Rican or the Italian recently come to this country. Anything that gets out of our culture, any group outside of our own culture, is discriminated against to some degree, there is no question.

Mr. Chairman, may I have the privilege of expressing appreciation to two or three, because I think my statement before you would be grossly incomplete without my expressing the appreciation which I feel to several groups: The press, radio and TV were enormously helpful. The political organizations of our State were, the political leadership was exceedingly helpful, and this isn't maybe pertinent, but I want to put it in. The trouble with this problem is not educational leadership. It is bad political leadership that has got us into the trouble we are in, and I can't be too critical of political leadership which in some cases, I think, has been utterly selfish, that has got us into the trouble we are in in more places than one.

We enjoyed the finest cooperation of local and State political leadership. Also, we had the finest cooperation of our police department and help in that way, and our churches gave enormous help to us. Some ministers preached sermons right on the question. Others didn't preach on the question direct, maybe didn't even refer to desegregation, but when they preached on good human relations—and we were saying desegregation is just one facet of good human relations—then all that the preacher was doing in his very conservative movement was contributing to the total picture.

It was a great team and community effort, working together.

Chairman HANNAH. Thank you very much, Dr. Carmichael.

Now, before we introduce the next participant, we will have a 5-minute break after this next presentation, which will mean that we will have three presentations after the break, and we should adjourn in plenty of time for luncheon at about 12:45 or approximately that time.

Mr. Tiffany, will you introduce the next participant?

Mr. TIFFANY. The next participant, Mr. Chairman, is Mr. David M. Green, who is the superintendent of schools from Dover, Del.

**STATEMENT OF DAVID M. GREENE, SUPERINTENDENT OF SCHOOLS,  
DOVER, DEL.**

Mr. GREEN. Dr. Hannah, members of the Commission, and fellow participants: Yesterday Dr. Miller, as he presented the Wilmington story, mentioned Delaware being a small State somewhat divided, even though it is small. We have the canal connecting the Delaware

and Chesapeake, and we talk of north and south of the canal. Sixty percent of the population of the State is in the upper county, 40 in the lower 2, Dover being the capital, situated in Kent County, the smallest of the 3, about the center of the State.

Some steps had been taken previous to 1954 that we feel helped start the plan that we had in effect, which is a token plan and has not been enlarged. We had joint faculty meetings which all members of both races really participated in. There have been uses of the school building by mixed groups, not only of the faculty, but the University of Delaware gives extension courses, quite a number of them in the Dover school, and there had been adult and evening classes that were mixed groups.

Our youngsters had participated in county band and county chorus in which there were white and Negro students. In the new Kent County comprehensive high school, which was all-Negro, we did have some practice games and sports with this school. So that gave the background we felt helped us to some extent.

I would like to make two corrections in the statement that appears. The district is not coterminous with the city of Dover. I don't know whether it is any more complicated than any other States. Dover has a special school district in which all children go to schools within that district, and then there is a high school attendance area in which smaller districts that would not have a high school are assigned by the State board of education to attend certain schools, so we have some outside of the district, and then the Negro school district that it speaks of as part of the Dover district. It is not part of the Dover district. It is a county unit directly under the State board of education, with an appointed board of seven members, but the school itself is located right on the edge of the city of Dover. In fact, it is right next to the colored school in the Dover district, but there is no connection as far as administration.

The board members knew that the court would come out with some decision. They had discussed it to some extent, but very little. When our neighbors did not seem to be planning too much for the fall of 1954, the Dover board thought that they should, and the plan that they evolved had some connection with this county high school.

The thought was to start with a small group that might be a padded group, with ones that might be more selected in the sense of the course that they wished to take. And so the board said that we would admit pupils from our own Negro elementary school that desired to take the academic course. The Negro high school did not give certain languages that are required for an academic diploma by the State board of education, so that was an opening where we might admit them.

We could not admit those that were graduating or being promoted from the eighth grade in our colored school because many of the one-room colored schools at the end of the sixth grade sent their pupils to the Dover elementary school to finish the seventh and eighth grades. Some of the school districts, I think, in the county felt that might solve a problem for them later on, which to some extent it did.

We did say that they would take a test, but that test is the same that had been given for a number of years to the pupils in our white schools that had completed the eighth grade, differential aptitude test, and it was on the basis of this that we could sit down with the pupil and the parents and advise what might be a wise course that they could take, if they are white pupils. The same is done to the Negro pupils who apply for admission within the Dover white high school. There were some that did not make the high score, and we were frank in telling them we doubted whether they would succeed in the academic course, that these tests were an indication of their ability, but they were not turned away.

We had 18 apply for admission in September of 1954. Some of those came, we feel, at the urging of others. Some felt there was an opening that they might start in an integrated school and came perhaps to take advantage of that. Some of them soon found that the academic course was not the one that they wanted, and they transferred back to this county comprehensive high school at the end of the first 6 weeks.

We had minor incidents such as rumors that were spread. Where we could we backtracked on them and squelched them. Perhaps there may have been some name-calling among the groups. On one or two occasions a sign appeared on the bulletin board suggesting that the colored students should go to their own school, but that would seem to be the end. They were accepted, and one was elected treasurer of the freshman class. Several went out for the football teams and played on the JP squad that year, being only freshmen.

So the plan has gone on from year to year until last year we had two graduated from the high school. This year we had four in the senior class. We wonder, or at least some of the citizens, whether there will be problems or not in social activities. When they came to the third year in school, one couple attended the junior prom and they danced, just those two; the last year there were three, and they exchanged dances among those three couples. We have taken them on the Washington trip that we have each year, and no incidents have occurred in that way.

Perhaps our biggest problem that it has caused the school has been in the field of athletics. Our neighbors to the south of us in the State that have been our traditional rival would not play us any longer. Some would come to Dover and play, and we had Negro

members on the team, but they said we might not come to their school grounds and play and use the Negro members. In view of this we didn't think it was fair to the team, to the individuals on the team, to the coach, so we adopted a policy that we would only play those schools who accept us as an integrated school.

It is rather curious. We sponsor a relay meet in the spring. Our neighboring schools only 3 miles away to the south or 18 miles away will not participate in that because we have not only colored in our own school, but some of the colored schools in the area participate, but 1 week later they will go to the university and take part in the State interscholastic meet where they have the same individuals participate in the same events the week before.

The same applies to the county band and county chorus where they have had quite a bit of opposition from some other schools, yet their members may go to Wilmington and participate as a mixed group, but they wouldn't on a county level or accept them. They have them in the band, in our glee club; they are appointed to committees; they are on the hall control.

This coming year we have a Negro boy who has been elected by his teammates as cocaptain of the football team. Just last Saturday night the seniors had rather an informal program, and they called it a travelog. They took a trip around the world, and the colored members participated. One was King Neptune, and the other gave a dance when the group got to Persia, and we find them on the honor roll and in the honor society.

There has been no integration of faculty so far as teaching classes. However, now with our school, with our teachers association within the school, this year the president is a Negro.

Two years ago or a year and a half ago—we have a four-member board, elected board—we had a Negro lady elected as a member of the board, and she has taken her place very well and served capably.

I would feel that it has been made easier in Dover. We had the Dover Air Force base, the largest air freight terminal, I believe, now in the country. There is a question of policy there of integration. It is not in our district, but it is close by, and wherever the families find a residence, they settle down and live, and so we have pupils that have that background now.

The International Latex in Dover has employees coming from around and out of our district and out of the State, officials living in Dover, and they have been helpful in our school affairs. Ministers have supported the board by letters to the press, friendly press, and from the time of the inception of this program, the faculty has expressed their favorable comment to the board and the PTA approves—in fact, to the south of us I think most of us are familiar with what happened in Dover.

PTA leaders got together soon after the opening of the school term and determined that Bryant Bowles should not come to Dover. We had no trouble; he did not come to Dover. He declared the following September he was going to come and close it, but he couldn't find a place to have a meeting, and he disappeared from the picture.

We had the backing of the local police. In fact, at one time we thought there might be a possibility of trouble, of Bowles or his crew coming the night before school, but he called and asked if there might be a place for one of his members to be there, and a plainclothes man, there just to observe and be observed, said, "You go home and get some sleep, and don't worry; everything will be all right," and it was. So we have had a lawsuit, however, instigated against the Dover board in August of 1957. We felt it might be more efficient and help the Negro school if they transferred to adjacent county high school, so the plan was worked out that we could transfer seventh grade and the eighth grade.

Some of the Negro parents instituted a suit saying they would like their children to be admitted to our junior high school. They were paying taxes to support that school, and yet they were denied the privilege of having their children attend.

That suit has been held in abeyance until there is some decision where there were cases against the State board on the State level.

We find incidents in the community of Dover. We have the Little League, baseball and basketball, YMCA, where they are mixed, the playground. We have the World Day of Prayer service in which the women, mixed groups, meet; Thanksgiving service with members of both races; and the beach which the YMCA operates with the city.

I will be glad to answer questions.

Chairman HANNAH. Dean Storey?

Commissioner STOREY. No.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No questions.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Just one. You have had public meetings prior to this program, and I gather they were helpful, weren't they?

Mr. GREEN. Yes, sir. I should have mentioned that. Even though we started rather late in the summer to work out this plan, the board thought it wise if they discussed it individually. Then they called a public meeting to which about 500 came. I told the board I wouldn't be there, that I would return, and they said, "Don't come; stay away," so all I know is hearsay, but three discussions were had with members of both races there, and no rancor shown in that discussion. We think

this helped, whereas in our neighboring community where they started the public had not been informed.

Chairman HANNAH. Any questions that the participants would like to ask Mr. Green?

Thank you very much, Mr. Green.

WRITTEN STATEMENT OF DAVID M. GREEN, SUPERINTENDENT, OF DOVER, DEL.,  
PUBLIC SCHOOLS

The Supreme Court's decision of May 17, 1954, did not receive any formal recognition on the part of the Dover board of education until August. The problem of providing school buildings for a rapidly growing school population and the employing of an adequate staff well-filled the time of the board. The minutes of 16 meetings between May 17 and August 16 attest to this fact.

The school administration finally asked for a decision by the board so it would know what course of action it should take in case Negro children should apply for admission when school opened in September. An executive session of the board was held at the end of a regular session on August 5 and it was decided that the four members would take a sampling poll of the community and be ready to report at the next meeting. On August 16 this meeting was held and the following are some of the opinions gathered:

It would be better to start with a few Negro pupils and thus find out the problems and then be better informed as how to correct any difficulties.

Of the people contacted on different economic levels only one was outright opposed to integration.

The people felt integration was coming and the only recourse was to accept it.

A few raised the question why bring in the Negro children when our schools were already crowded.

They were opposed to the white children going to the present Negro school, but they would accept Negro children in the white school.

A petition was received from the Dover chapter of the NAACP asking for a meeting with the board. The board felt if any meeting was held it should be held with the parents of the Booker T. Washington children and the Booker T. Washington PTA and not with the NAACP as such.

The next step was to set a date for a public meeting to discuss integration. This meeting was publicized through the papers and held on August 26. The meeting was attended by about 500 persons, both white and Negro, and was orderly in every respect. There was free discussion with opposing viewpoints presented without rancor.

The Dover board of education then prepared a plan to be presented to the State board of education and on August 30 adopted the following resolution:

Whereas, the State board of education, in line with the U.S. Supreme Court's decision outlawing segregation in the public schools, has requested the Dover board of education in common with other school boards to desegregate its schools as expeditiously as possible; and

Whereas, the Dover board of education, mindful of other related problems (e.g., already overcrowded facilities at the elementary level), has given a deliberate consideration to the problem of integration, involving as it does a wide range of opinions from the people in the district; and

Whereas, the Dover board of education believes that a majority of the people in the district are agreeable to its initiating the integrative process on a gradual but limited basis commencing with the 1954-55 school year in order to give the school administration an opportunity to study its social, economic and education effects before the Court decrees a broader basis of integration; and

Whereas, it is the opinion of the school administration that a restricted integration program effective from September 8, 1954, will not hamper the overall education program of the Dover Community School; and

Whereas, the Dover board of education understands that a number of students who graduated from the eighth grade at its Booker T. Washington School in June 1954, may wish to take the academic course upon entering the ninth grade this September, and that the William M. Henry Comprehensive High School, which these students would ordinarily attend, does not offer the academic course;



Therefore, be it resolved, that, effective September 8, 1954, the administration of the Dover Community School may admit to the ninth grade any student who graduated from the eighth grade of the Booker T. Washington School in June 1954, and who wishes to take the academic course and obtain the academic diploma, provided he (or she) lives in the Dover Special School District and has satisfactorily passed the aptitude test usually given to the pupils of the eighth grade in the Dover Community School.

Be it further resolved, that the Dover board of education asks the parent-teacher associations of the Dover Community School and the Booker T. Washington School each to name not over four members, representing as far as possible different views on integration to be members of an advisory committee whose function shall be to study any problem arising from the integrative process and to submit to the Dover school board any recommendations it may deem advisable toward facilitating a natural and orderly transition to a desegregated system.

Eighteen Negro children applied for admission on the opening day of school and were accepted on the basis of test results. It was fairly evident some would not succeed in an academic course but they were given the opportunity. In a few days some left school and entered the nearby Negro county high school. By the end of the first 6-weeks' period 12 remained in school and remained through the school year.

Some of these pupils took part in school activities. One became a member of the band and three joined the football squad and briefly played in a few games. One boy was elected treasurer of the freshman class.

The incidents within the school were few and of a minor nature. There were occasions of name calling and two or three incidents of note writing. Rumors were started but promptly discredited. When there was serious trouble 20 miles to the south of Dover, two meetings of responsible citizens in our community showed that Dover was determined to see that their schools proceed in an orderly manner and that our children would not be denied an education. The following resolution from the Dover teachers further illustrates the desire to provide quality education for the pupils:

"We, the teachers of the Dover Community School, deploring the mass hysteria that has affected some school districts in our State and other States, wish to make clear to all that we are normally obligated to preserve the American way of life, which gives all our citizens an equal, peaceful, free-from-pressure method of solving any problems that may arise. We shall, with all our abilities, uphold the law of the land to which we have sworn an oath of allegiance. Therefore, we wish to state as a group, that we will support the law and the decisions of the Dover school board, and that we will do everything in our power to make a better school."

The remainder of the year was uneventful as far as problems due to integration.

The board of education maintained the same policy as the first year adopting this resolution:

1. Allow the students who attended the Dover Community School in 1954-55 to continue with their course of study. These were pupils who resided in the Dover Special School District and graduated from the Booker T. Washington School in June 1954 who wished to pursue the academic high school course.

2. Admit those pupils who live in the Dover Special School District and who graduated from the Booker T. Washington School in June 1955 who wished to pursue the academic high school course. The same policy will be followed as in the Dover Community School with the pupils being placed in the courses based on the results of aptitude tests and conferences with the pupil and parent.

3. Appoint a citizens' committee to study during the coming school year ways of further augmenting integration in the Dover Special School District. The membership of this committee is to be representative of both races and of all parts of the Dover Special School District.

New pupils entered the ninth grade with most of the former Negro pupils returning. Integration began to affect the athletic program. When three Negro substitutes were sent in during the waning moments of the first game our opponents walked off the field and their followers left the stands. All was very quiet and there was no disorder. The boards of both schools met and discussed the incident and later we met with another board concerning a future game. As a result of these discussions a policy was made concerning athletic events and Dover's stand caused the cancellation of two more games on the football schedule. The following was the athletic policy:

"Since the Dover board of education realizes that all phases of the integration program and its impact on the athletic schedule were not weighed when the 1955-56 schedule was drawn up a year ago, it feels that as far as possible the schedules for this year should be completed.

"To this end, Dover will agree to play their away games on a segregated basis if the home team so requires this provision and if the same teams will agree to play at Dover on an integrated basis. This policy will apply for the remainder of this school year.

"Starting with the school year 1956-57 the Dover School will build their athletic program so that all games will be played on an integrated basis."

In May 1957, Mrs. Cecie P. Henry, a Negro citizen of our community, was elected to the four member board of education and is ably fulfilling her duties.

In the late spring of 1957 five Negro parents asked permission to enroll their children in the seventh and eighth grade classes of the Dover High School. This came as a result of a plan to transfer all of our Negro school's seventh and eighth grade pupils to the adjacent Negro County Comprehensive High School. This plan was the result of cooperative planning between the two boards of education and representatives of the State board of education. The purpose of the plan was to obtain more room for the pupils in the Dover district school and give the county high school more pupils, thus providing a base for more funds and a more efficient operation. As the result of refusing to admit these pupils a suit was brought against the Dover board of education and its superintendent in the summer of 1957. To date no action has been taken on this suit pending the outcome of another suit involving the State board of education regarding integration.

Rather than continue a detailed account it might be better to put down several conclusions concerning integration in Dover now we are in our fifth year.

1. Ours is a token integration.
2. It has worked well and has been accepted by the community.
3. The Negro children have been accepted in the school without the creation of problems within the school.
4. There are those Negro children who have difficulty in achieving the required 75 percent average in required academic subjects and after repeating the subject and still not achieving the 75 percent have transferred out of our school. White children who have this same difficulty transfer to another course. Under our policy the Negro pupils may not do this.
5. The Negro pupils have participated in activities besides academic classes such as band, glee club, clubs, and athletics. They have held office and have been appointed to committees and adequately carried their share of the work in the organization.
6. They do not interfere or cause the curtailment of social activities. They have attended the junior prom the past 2 years and danced, but there has been no attempt at mixed dancing.
7. Negro members of the senior classes have participated in the annual Washington trip.
8. There has been no evidence of adverse economic effect on the pupils or their families.
9. While there has been no integration of faculties on the instructional level, there has been complete working together of white and Negro faculty members on committees and in meetings. A Negro is president of the Dover Education Association this year.
10. The one place integration has had an adverse effect on the school program is in the field of athletics. Many of the schools we had formerly played and with whom we had developed athletic rivalries will no longer schedule Dover. This has made it more difficult to build schedules and to maintain as high an interest as in previous years. The players accept each other and work well together.
11. The scholastic standards of the Dover High School have not been lowered by the admission of Negro pupils.
12. The way the Dover plan of integration was put into effect was good and I would recommend it be followed if we were starting again for the first time. I do feel it could have been broadened gradually without any ill effects to all of the pupils and community rather than standing still.

Now we will take a 6-minute recess, and we will reconvene at 11 o'clock.

(Short recess.)

Chairman HANNAH. May we come to order.

Mr. Tiffany, will you introduce the next participant, please?

Mr. TIFFANY. The next participant is Dr. Raymond O. McCullough, superintendent of schools, Talbot County, Md.

Chairman HANNAH. Mr. McCullough.

**STATEMENT OF RAYMOND O. McCULLOUGH, SUPERINTENDENT OF SCHOOLS, TALBOT COUNTY, MD..**

Dr. McCULLOUGH. Mr. Chairman, members of the Commission, ladies and gentlemen, Talbot County, Md. is situated east of the Chesapeake Bay. It lies in a part of Maryland with a very high cultural origin, in the days when Baltimore was considered to be a part of the far west.

Maryland has been referred to as America in miniature. Our western Maryland is very mountainous, very northern in tradition. The part of Maryland which I represent is very, very southern in its culture and its traditions.

The county units have a high degree of autonomy. However, it is customary for them to accept direction and leadership from the State department of education.

In getting ready to comply with the Supreme Court decision, the State board of education convened with 24 superintendents of the State to study the matter. Certain recommendations that they made were referred to the State board of education and were adopted.

In essence, the county units were advised from the State level to appoint five additional commissions of local citizens to make a serious study of the problem and to take steps to comply with the law of the land, decisions being based on the local conditions and multiple understanding and mutual good will. This in essence was the direction that was received from State sources. Pursuant to that, the Talbot County board of education appointed a biracial committee to study the problem and to recommend policy. To provide a basis for the study, the board had invited all Negro children who wished to transfer in September 1956 to file tentative applications to the principals of the schools to which they wished to transfer. This produced 47 applications widely scattered from grades 1 to 11.

The recommendation of the biracial committee was that all applications for grades 1, 2, and 3 only be accepted and that pupils so accepted be permitted to continue in integrated schools until graduation if they chose to do so. This recommendation was adopted by the board as official policy, and it was widely publicized. This resulted in the

acceptance of 12 Negro children as pupils in 2 formerly white elementary schools in September of 1956. Since that time, six additional colored children, all prospective first graders, registered in integrated schools, and they were accepted as pupils in these schools. No applications or registrations were received during this period for grades other than grade 1.

When the announcement of the desegregation policy was made there was little, if any, overt or organized reaction of any kind. There have since been strong indications that the reason for this was that Negroes and whites generally thought there would be some last-minute reason found for delaying the actual implementation of the policy.

Community reaction which began to be felt with the opening of school was mostly adverse, which was expressed in the following ways:

1. Mass meetings of citizens who opposed integration were held rather frequently during the year following September 1956. At first, these meetings were widely advertised and drew large crowds which gradually dwindled until they were discontinued late in the fall of 1957. These meetings were often attended by people from other counties and other States, including two professional organizers of such groups.

2. PTA attendance was swelled by the attendance of groups who wished to bring the matter to the floor for discussion and who wished PTA's generally to take a stand in opposition to integration. PTA's generally opposed these efforts. This pressure forced the resignation of one PTA president.

3. Board meetings were attended by unusually large groups who sought at every meeting for a period of a year to present the segregationist viewpoint to the board.

4. Harassment of individual board members took the form of anonymous phone calls, anonymous letters, and threats of economic boycott.

5. A writ of mandamus against the board was filed in the court by a group of citizens. The action of the board was sustained by the court.

6. One integrated school was boycotted by parents and students. Absences reached a high of about 40 percent. The school was kept open despite the boycott, and the problem resolved itself gradually over a period of about 3 weeks with the gradual return of boycotting pupils.

7. In the fall of 1957, one integrated school was picketed on opening day. Three quick arrests by the local police ended this effort.

8. For a period of about 2 months, advertisements were placed weekly in the local press with the intent of casting suspicion upon any recent action of the board whether it related to integration or not.

Favorable community reaction was not widespread. It took the following forms:

1. The local press, consisting of two weekly newspapers, supported the board strongly and repeatedly in their editorial columns.
2. An occasional citizen spoke at board meetings in support of board action.
3. One church youth group wrote the board a letter supporting its action.
4. The biracial committee which made the original recommendation to the board supported the board strongly in a newspaper article signed by all members.

At the present, there is no overt or organized resistance to the board's integration policy, which has not changed since it was first established. Each fall since the policy was established, Negro children have entered the first grade of integrated schools. However, the number of new registrations has not kept pace with the number moving away, with the result that the total enrollment of integrated Negro children has dropped from 12 to 7.

Thank you very much.

Chairman HANNAH. Dr. McCullough, you indicated that you had a good deal of trouble with picketing in 1956. In the fall of 1957 you had some beginning of picketing, but with the cooperation of the local police it was rapidly handled. Do I infer from that that in 1956 you didn't get the same kind of police cooperation?

Dr. McCULLOUGH. Well, I don't believe I indicated that there was any picketing in 1956. We had no picketing. We did have a boycott in 1956. That is, I meant to say there, the children stayed away from school. But we only had one instance of picketing, and that was in the fall of 1957. The police broke it up in about 1 hour.

Chairman HANNAH. Do you have any Negro teachers in your system?

Dr. McCULLOUGH. We have about 50 Negro teachers out of the total of 172.

Chairman HANNAH. Of course with the very small number of Negro students that you have in all of the lower three grades you have no observations with reference to the performance, relative performance, of these students.

Dr. McCULLOUGH. I think, sir, the sample is too small to warrant a valid conclusion on that. However, I can say that the proportion of this small group having trouble in school, to the extent that they weren't promoted, was no higher than it was in the general school population.

Chairman HANNAH. Dean Storey, do you have any questions?

Vice Chairman STOREY. No, sir.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. No questions.

Chairman HANNAH. Are there questions from the participants?

Dr. PULLEN. Mr. Chairman, I should like to ask the chairman a question. I am intrigued by your question regarding the performance of the colored. Not speaking in the adjective of any particular group, but mindful of the fact that we are a public institution, would not the same question be applicable of all of those children who fell into a certain intellectual potentiality?

In other words, is this a question peculiarly applicable to race?

Chairman HANNAH. I think not.

Dr. PULLEN. I just simply want to establish that fact.

Chairman HANNAH. Are there other questions? If there are no further questions, thank you very much, Mr. McCullough.

Mr. Tiffany, will you introduce the next participant?

Mr. TIFFANY. The next participant will be Miss Mary C. O'Brien, superintendent of schools in Pinal County, Ariz.

#### **STATEMENT OF MARY C. O'BRIEN, SUPERINTENDENT OF SCHOOLS, PINAL COUNTY, ARIZ.**

MISS O'BRIEN. Mr. Chairman, members of the Commission, members and guests: I know from the staff summary that the percentage for the Negro population in Pinal County is given according to the 1950 census as 5.9. I should like to describe briefly our county in order to show the true significance of this percentage figure. Pinal County is essentially a rural county, but it is divided sharply both geographically and industrially into two sections. At the eastern end of the county we have three towns that we refer to as the mountain or mining towns, and at the western end of the county we have the valley towns. In the mining towns there are about 6,000 children, and up to this year there were no Negro children in these schools. This year there are three. It is obvious then that the concentration of the Negro population is in the towns in the valley, and these will range from 1 percent of the school census in one school to as high as about 35 percent in another school.

At present there are 973 Negroes attending the valley schools. There will be 94 graduated from the eighth grade this year and 37 from the high schools. All of these schools are integrated.

Of the 18 elementary schools 16 are fully integrated, and 2 are partially integrated. All of the 8 high schools are integrated.

Segregation of white and Negro races was mandatory by State statute in Arizona until 1951. In the high schools it was always optional with the school districts. In 1951 legislation was enacted which made segregation permissive throughout the entire State with the school districts. Many of the school districts in our county and throughout the State started the movement toward integration as early as 1951 with this permissive legislation.

I think we can say that there were three reasons for this. First of all, there was already action at the national level, and I believe that the school people anticipated the Supreme Court decision and decided to move gradually towards integration. Secondly, the school buildings housing Negroes were so very poor that they were actually a fire hazard and, I am sure, a nightmare to many of our administrators. Thirdly, many of the administrators believed in the principle of integration and were very happy to see the legal barriers withdrawn.

The methods used in Pinal County were two. There was the total and immediate method which meant that the complete district integrated within the 1 year, and then there was the gradual, grade by grade method used by two schools.

I might say that the total and immediate method was used in the schools where the buildings were so very bad that the districts were happy to abandon them.

I would like to mention something that was somewhat of a surprise to me when I was preparing this paper, and that was the preparation, or perhaps I should say lack of preparation, for integration in Arizona. I was first elected to my office in 1950, so I had the opportunity to watch the entire integration program in our county, and when I attempted to answer some of the questions on the questionnaire, I was surprised to find that I had to say "none" to practically every question. There was no drawing in of groups, there was no newspaper publicity, there was no asking of religious organizations, and so on.

I was so certain that I must have been mistaken that I contacted several people throughout the county and made some investigation, even of newspaper publicity from 1950 up to the present time. The only thing that I could find in the newspapers was a rather sentimental story about the tearing down of one of the old schoolhouses which had, before it was a Negro school, been an all-white school, and many of the oldtimers had gone to school there, and then there was just a brief message below that the 200-odd Negro children would be attending school in town next year.

There seemed to be no reaction from that statement.

This is rather surprising to me for the following reasons. First of all, Arizona has had segregation since statehood, and two, the people

in our county, at least, come from States that are now being troubled with segregation problems. A great majority of them do. Three, we do have racial discrimination in the county. We have had several very serious incidents. I will just mention one.

The State welfare department sent a very fine man down to work in the county welfare office in the very town in which I live, and the people made it so unpleasant for him, the restaurants got together, and the housing people got together, and there were rumors circulated about his character and so on, that he had to leave, and I cite that as merely one of the incidents to show that there is some discrimination. I can't explain exactly why we didn't have trouble in the school situation, except perhaps to say that the timing was about right. It is the consensus of opinion among our administrators that if we were to integrate now, we would have more trouble, and that is because of the publicity at the national level of incidents that have happened in other States that sort of accentuated the problem. But in looking back, it appears that we felt that there was no alternative and that we simply proceeded with that idea in mind as though there was no other course to follow.

I should like to mention just briefly something about integration in our high schools. Two high schools had segregation for 1 year only, and this was such a dismal failure and the administrators realized that there was only a pretense in offering a full curriculum, that in both cases they were abandoned after the first year.

Athletics has played a large part in making our high school program a success. The progress of the Negro in athletics has made him a very desirable asset to all of our high schools. In fact, I might add here that the three children in the high school of our mining town are there simply because of the athletic situation. The school authorities actually went out and found a job for the parent of these children in order to get this one boy into high school.

I contacted before I came here all of the principals of our high schools regarding any social problems that might exist in the high schools, and it was the consensus of their opinion that these things they are working out for themselves. The Negroes invite Negro partners to the proms, banquets, and so on, and so far there have been no serious incidents in the county.

I would like to mention just two things that I thought were very interesting in the high school situation. When the very first Negro was ready for graduation from a Pinal County high school, which was back in the 1940's, the school board and the administrator took him aside and told him that he would be given his diploma privately and that he need not appear for the graduation practice. As soon as this became known to the rest of the graduating class, they held a



meeting and said that if he did not graduate with them, there would be no graduation, so the first Negro graduated with his class.

Two years ago a Negro was elected president of a student body in one of our high schools, which is only 17 percent Negro.

Now, as to the future of integration and the problems in Pinal County, I would like to say only this, there is actually no trouble at all as far as integration of students is concerned. We have one school that is, shall I say, concerned with the problem. When they integrated the first grade in that district, they predicted dire consequences. Nothing happened. When they integrated the second grade, the same predictions, but nothing happened, and they seem to have a defeatist attitude, but I believe that this thing will work itself out in this particular district.

The problem in Pinal County is relative to the teachers, and I am greatly concerned with the future of the Negro teachers in our county. Arizona has a very strict teacher tenure law which applies to all of the teachers in the district. A teacher does not get tenure in a particular school, but gets tenure in the school district, and I have observed since 1954 a tendency on the part of school districts to let a teacher go after the third year before she is achieving tenure. In one school where we had complete integration the two Negro teachers who had tenure were retained. The other two were discharged, although all four were very able teachers.

This is a real problem in two ways. First of all it creates a tension among the Negro teachers. They feel as though they are always on the alert, and they are never sure as to when their job is going to be terminated, regardless of their program, and secondly, in my opinion it places a burden on the conscience of the school administrator, because he must provide the board in writing a reason for the dismissal of even the probationary teacher, and of course if the teacher is a fine teacher, it puts him in a rather difficult situation when the board does not wish the teacher to obtain tenure.

I am happy to say this situation does not exist in Phoenix and Tucson, but it is a real problem in Pinal County.

Chairman HANNAH. Miss O'Brien, you said nothing with reference to the Indians. I notice in the population figures that were sent to us that you have more Indians in the county than Negroes. Do you have any comments with reference to how the Indians are handled?

MISS O'BRIEN. Actually we do have more Indians in the county, but we do not have more Indians in the public schools. Most of our Indians live on reservations, and there are a great number of Government schools on the reservation. We have about 525 Indians in the public schools in our county.

Now, these have always been welcomed, and of late years, if I may make a very practical statement, they are more than welcomed, because

they come from the reservation which is tax-free, and therefore the school districts which they attend receive Federal money. They receive money under the Johnson-O'Malley Act and under Public Law 815 and 874, and as a matter of fact, many of our schools have been able to build new buildings by virtue of the Indian attendance and receiving funds under Public Law 815, so I would say there was no problem at all so far as Indians are concerned.

Chairman HANNAH. These Government schools on the reservations, do children of Government employees and so on go to the school with the Indians?

MISS O'BRIEN. No, the Government employees go into the adjacent towns to school. The Government schools are strictly for the Indian children.

Chairman HANNAH. What about Mexican-Americans? Do you have any substantial number of Mexican-Americans in your county?

MISS O'BRIEN. Well, out of about 15,000 children in the county we have about 7,000 Mexican-American children.

Chairman HANNAH. Did they ever go to segregated schools?

MISS O'BRIEN. Yes. In the mining towns it was early the custom to have complete segregation, but I don't think we can blame this on the school. The way the towns were built, in two cases there were two separate towns built adjacent, one for the people of Mexican extraction and one for the people of non-Mexican extraction, and then in each place the company built also a school, so I think the school authorities had really very little to do with the segregation.

I am happy to say, though, that in both cases, almost by accident, but I think everybody is happy about it, this is being discontinued. In one case ore was found underneath both of the towns, and the company is going to abandon both of the towns, and a beautiful new town is going up, and it is to be nonsegregated.

Chairman HANNAH. Are there Mexican-American teachers in the school system?

MISS O'BRIEN. There are many, many Mexican-Americans.

Chairman HANNAH. They are perfectly acceptable in the all-white schools?

MISS O'BRIEN. Yes. In Arizona we have Spanish-speaking people, people of Mexican extraction, that go back many, many generations. They are from very fine families, and of course we do have some who are very close to the border in Pinal County, and we have some who have come recently, but we have—well, I would say in Florence where I am in the high school we must have about four or five Mexican extraction high school teachers. Our superintendent of schools is of Mexican extraction.

Chairman HANNAH. I would like to come back again to your concerns about the Negro teachers. It is not quite clear to me why you are so concerned. Would you clarify that just a little bit?

Miss O'BRIEN. Well, I will attempt to. I have to get elected, you know. [Laughter.] We have, as I said, two schools that are not as yet fully integrated. These schools have seven Negro teachers each, and I have observed that of late no teacher gets on tenure in those schools. There is a changover. The reason, of course, is that if the teacher were to get on tenure, she would have tenure in the entire district, and even if they abandoned the Negro school, she would have tenure in the integrated school. Is that clear?

Chairman HANNAH. Yes. You are not concerned with the quality of the Negro teacher. It is the resistance to giving her permanent tenure in the system.

Miss O'BRIEN. No. Actually I am concerned with the quality. In the school over which I have jurisdiction, what we call a county school, actually—well, I hate to even say it—we had to discharge a Negro teacher this year because of poor quality. I am not saying every Negro teacher or every white teacher should be retained. It is just because I am concerned about teachers, well-equipped, well-qualified, and doing a good job, losing out in their positions and perhaps white teachers that are, shall we say, of even inferior quality being retained in the same system.

Chairman HANNAH. Dean Storey?

Commissioner STOREY. No.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No questions.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Miss O'Brien, do you think the change-over would have been any easier had there been some preparation and public participation as we have had in some other places, or was it just unnecessary with the acceptance of the law?

Miss O'BRIEN. I really don't see how it could have been any easier. I really don't.

Commissioner HESBURGH. This is one case, at least, where the law did some leading.

Miss O'BRIEN. Of course I feel that the fact that the legislature indicated an interest from the State level as early as 1951 probably helped.

Chairman HANNAH. Any questions from the participants? There are none. Thank you very much, Miss O'Brien; a very good presentation.

WRITTEN STATEMENT OF MARY C. O'BRIEN, SUPERINTENDENT, PINAL COUNTY,  
ARIZ., PUBLIC SCHOOLS

DESEGREGATION OF PUPILS OF THE AFRICAN RACE

*Common Schools*

The original Arizona statute regarding segregation of persons of the African race in common schools reads as follows:

"They (the Board of Trustees) SHALL segregate pupils of the African race from pupils of the Caucasian race in all schools other than high schools, and PROVIDE ALL ACCOMMODATIONS made necessary by such segregation" (54-416, A.C.A., 1939). [Italics added.]

It is obvious from the above that segregation of Negroes was compulsory in Arizona, and until the law was changed in 1951, segregation was the rule. It is true that in a few isolated cases where there was only an occasional Negro pupil, the schools ignored the statute. To do otherwise would have resulted in (a) maintaining a separate school for one or two pupils; or (b) depriving these Negroes of an education. On the whole, however, segregation was the rule until the 1951 date. It is difficult to say whether or not the statute quoted above intended that "all accommodations" should be interpreted as "equal" accommodations. At any rate, the accommodations were not equal when the present county school superintendent took office in 1950. The separate facilities provided for the Negroes were infinitely inferior to those provided for the white children. To cite a case: In one instance a school building abandoned by the white children as they moved into new modern quarters, was continued in use as a school for Negroes of the district.

By laws of 1951, the Arizona statute quoted above was changed to read as follows:

"\* \* \* They (the Board) MAY segregate groups of pupils."

When the Arizona statutes were revised in 1955, the final wording was set as follows:

"The Board MAY make such segregation of groups of pupils as it deems advisable" (A.R.S. 15-442).

As soon as the above legislation became effective, many school districts began to move in the direction of integration. The reasons can be summed up as follows:

(1) Many schools were convinced that the Supreme Court ruling against segregation was inevitable and decided to work towards gradual change.

(2) Many schools were unable, financially, to maintain separate schools and welcomed the permissive legislation which allowed each district to make its own decision.

(3) Some school people had always been against segregation in principle but could do nothing about it as long as the law was mandatory. These welcomed the opportunity to have integrated schools.

The steps toward full integration have been slow, in some instances undoubtedly too slow; but every district has made a beginning and some have achieved full integration. The situations in the various schools differed, and some are here described.

*School A.*—This school in an agricultural area composed of middle income people and migrant cotton workers had a fine school for white children which had been built by the Federal Government.<sup>1</sup> The Negro pupils were housed on the stage of an auditorium in the adjacent farm-labor camp. This was a most unsatisfactory situation. As soon as integration became permissive in Arizona (1951), the county school superintendent began moving in that direction. A wing was built on the white school and Negro pupils and teachers were moved into that wing. For the 1 year segregation was retained within the same building. The second year segregation still prevailed for the regular classes, but integration was introduced for special classes such as shop, sewing, etc. This system worked well (only one family moved away) even though now for the first time Negro teachers were instructing white children. By the end of the second year everything was running so smoothly that it was decided to abandon all pretense at segregation. All teachers were retained, Negro and white. This resulted also in better teaching because now it was not necessary

<sup>1</sup> Actually, it was not the intention of the Government to build a school for white children only, but only one building was constructed and since Arizona law made segregation mandatory an all-white school resulted.

to duplicate the same work for white and Negroes and the program could be worked out to the maximum advantage scholastically. Integration has been truly successful here simply because the principal and teachers *mean* it when they say every child shall be treated the same. The Negro children are now convinced that they have the same opportunities as the white children, that they will be punished and rewarded in an identical manner. About 17 percent of this school is Negro.

It is the best example of full integration in the county because the integration has included the staff members as well as the pupils. A spirit of harmony prevails. Discipline cases are at a minimum, especially those between the two races. Apparently there are two reasons for the success of the change: (1) No "overnight" tactics were used; the move was gradual but steady; (2) the parents and teachers cooperated to the fullest extent; it was fortunate that every teacher was without any racial prejudices whatsoever.

*School B.*—This school integrated, but had no Negro teachers to retain because the Negro pupils were "farmed out" for many years to another district that had an all Negro school. School B is made up of approximately one-third each Caucasians, Spanish-speaking Caucasians, and Negroes. Integration has not yet been successful here possibly because of the attitude of the people in that area. The Negroes realize during their attendance at the all-Negro school that they were not wanted in the district of their residence, and were being sent to a school vastly inferior to that provided for the white children of the district. A hostile attitude developed among Negro parents and pupils who sensed the feeling of the community toward them. There is reason to think that the people of this community have prejudices also against other religious and ethnic groups. When school B was finally forced to take in Negro pupils, the situation was not indicative of harmony. There are still, after several years, behavior problems in this school among the Negro pupils. Although some of the teachers seemed to resent "those blacks," the school administrator was entirely without prejudice. He has tried hard in a difficult situation. Perhaps this atmosphere might have been bettered had some sort of planned orientation been carried out in advance for both white and Negro children and parents.

One action taken this year may be a step forward. The administration persuaded the board to hire a Negro teacher—the first in this district. It is hoped that this will result in better relations between the Negro people and the school authorities, and that the Negro teacher might do some counseling among Negro pupils, with the idea of improving attitudes within the school.

*School C* (45 Negroes among 650 whites).—These Negro children were also "farmed out" to the inadequate school mentioned in case of school B. When the school was finally condemned in 1952, the residence district had the responsibility for the education of these 45 children. In this case the administrator was violently opposed to any integration. He apparently persuaded the board of trustees to rent a hall in town, and for 1 year, the Negroes were educated there, under one teacher. This situation was so expensive and so ridiculous that the people of the community were ready for integration by the next year. In fact, there seemed to be quite an organized opposition to the continuation of the segregated plan. Some citizens even spoke of a suit against the board. The administrator was therefore forced to bow to the wishes of the majority and the school was integrated. These Negro children seem to do well now—both in their studies and by participation in school activities.

*School D.*—In this case, prior to the Supreme Court decision, the district transported its Negroes across county lines to an all-Negro school. This policy was discontinued because of protests by the county school superintendent. These protests were based on (1) questionable legal aspects of such procedure; and (2) the fact that the Negroes were being transported to an inferior situation school. School D is now fully integrated.

*Schools E and F.*—These are problem schools. There are perhaps more Negroes in these areas than elsewhere in the county. In each district grades 6, 7, and 8 have been integrated. No further effort is being made toward integration. Separate schools for Negroes and whites are maintained in grades 1 through 5. There is no open resistance to integration, and when the boards in such area move forward there should be no major difficulties. There is some antagonism to the idea of full integration among the administrative personnel.

*Secondary schools*

The original Arizona statute regarding segregation in the high schools of the State reads as follows:

"Whenever there shall be registered in any high school, union high school, or county high school in the State, twenty-five (25) or more pupils of the African race, the board of education of such school shall, upon petition of fifteen (15) percent of the school electors as shown by the poll list of the last preceding annual election, residing in the district, call an election to determine whether or not such pupils of the African race shall be segregated from the pupils of the Caucasian race. The question to be submitted shall include the estimated cost to the district of such segregation and shall be substantially in the following form: 'Are you in favor of segregating the pupils of the African race from the pupils of the Caucasian race on condition that the board of education provide equal accommodations and facilities for pupils of the African race as are now or may be hereafter provided for pupils of the Caucasian race; it being understood that the estimated cost of segregation will be \$----- over and above the cost of maintaining the school without such segregation?'" \* \* \* "If a majority of the electors voting at such election vote in favor of such segregation, the board of education shall segregate the pupils of the African race from the pupils of the Caucasian race and provide equal accommodations and facilities for such pupils of the African race as are now and may be hereafter provided for the pupils of the Caucasian race in any such high schools'" (54-918 A.C.A. 1939).

In 1951 when the permissive legislation for common schools was passed, this statute relative to high schools was repealed entirely. No new statute was enacted.

There is no record that an election, as described in 54-918 ACA 1939 above, ever took place in Pinal County. Apparently there were few Negro students in the early days who presented themselves to the high schools. Below are a few incidents concerning Negroes who did attend high schools:

*School A.*—There finally came a time (this was prior to the permissive act of 1951) when a Negro pupil completed all 4 years at high school A and qualified for a diploma. The story is told that the board and the superintendent informed him that he would be given his diploma separately and not on graduation night with the others, and that he need not bother practicing for that big event. The graduating seniors met, voted unanimously for no graduation at all unless the Negro was included as one of them. The board capitulated. Many Negroes have been graduated from this school in the succeeding years. It is fully integrated.

*Schools B and C.*—Both of these large high schools attempted segregation for 1 year—one by segregating Negro children in one wing of the building, the other by establishing a so-called high school at another location. This was a complete failure, and in both cases full integration was put into effect the second year. Three years ago, in school B, a Negro boy was elected president of the student body over stiff opposition.

By and large, integration has been successful in the high schools of our county. However, there are no Negro teachers employed. The Negro's prowess in athletics has been a contributing factor in his being accepted.

*Conclusions*

Problems encountered during this transition period involve (1) Teachers—who are experiencing employment problems because of integration. Schools have kept their Negro tenure teachers, but many have not hired additional teachers, nor permitted teachers to achieve tenure status. This is a real problem for Negroes who have spent years of training for teaching. There are many ramifications to this problem, including the psychological effects on such teachers. The situation is one of pressure, of hesitancy to speak up, to ask for adequate supplies, etc. (2) Pupils—Negro children coming from segregated schools in other States or areas find it hard to adjust, and to accept the fact that they are on an absolutely equal status with white children as described in the common school A situation above. Negro children in a situation where they do not have equal status, or where they sense an unfriendly atmosphere are inclined to be on the defensive, and belligerent. They often create disturbance and are difficult to handle. As integration becomes the accepted thing, this situation should disappear. Negroes in our county are at present

behind white children scholastically, but are catching up. The reason is that (a) the separate schools were inferior; therefore, the background education is bad; and (b) a large percent of the Negro population is migrant resulting in irregular schooling habits.

Recommendations: Full integration should be achieved in this county with very little difficulty. The population is composed of persons from many areas, and it would be hard to visualize any organized resistance against school policies leading to full integration. The following recommendations are submitted for consideration:

1. Integration should not be forced suddenly on any community. The change should be steady but slow. The gradual process should not be used, however, as a delaying tactic. Good faith must be in evidence.

2. School administrators and staff members must stand ready to assist. An optimistic viewpoint is needed here. An effort should be made also by the school personnel to give the Negroes (the minority group) a feeling of belonging. Success along this line should eliminate some problems of discipline.

3. The project should be tried before it is condemned. In several instances "they" have predicted dire consequences, whereas actually there were no disturbances.

4. Orientation programs should be held for Negro and white adults, as well as for Negro and white children.

#### DESEGREGATION OF PUPILS OF MEXICAN ORIGIN

According to Arizona law there is no segregation of pupils of Mexican origin. However, this came about in many schools in the Southwest that were located in a single-industry town. Two of the towns in our county were sharply segregated. In one instance, the Mexican people were housed in one end of town; the non-Mexicans in the other end. In the second example, two adjacent towns existed, the population of each being determined by the national origin of the people. Because of these geographical divisions, schools became segregated—separate schools having been constructed in each locality. There was 100 percent segregation in these common schools for many years. There appeared to be no such segregation at the high school level although it was noted, especially in one case, that the percentage of Mexicans attending high school was small.

Conditions as outlined above are disappearing in Pinal County. Changes have been made during the past 5 years that have wiped out these practices in one town, and in the other situation a new town—completely desegregated—is being built to replace the two adjoining segregated towns.

This changed attitude toward persons of Mexican origin is long past due, but is in evidence. Mexican people are now being recognized in their full potential, assuming places of significance in the political, social, and educational life of the community.

Mr. Tiffany, will you present the next participant?

Mr. TIFFANY. Mr. R. B. Piper, superintendent of schools, Logan County, Ky.

#### STATEMENT OF R. B. PIPER, SUPERINTENDENT OF SCHOOLS, LOGAN COUNTY, KY.

Mr. PIPER. Chairman Hannah, members of the Civil Rights Commission: Logan County, Ky., is located in the southwestern section of Kentucky, directly north of Nashville, Tenn. The southern part of Logan County is in the Pennyryle and the northern part borders the western coal field. Agriculture is the main occupation and tobacco is the chief money crop. Several small industries complete the economic picture of the county.

The people of Logan County are primarily Anglo-Saxon and Protestant. This area was settled in the latter part of the 18th and first part of the 19th century.

Logan County is approximately 650 square miles in area and has approximately 25,000 people. Eight thousand live in the Russellville city limits.

When the Supreme Court decision with regard to desegregation was announced in 1954, the citizens of Logan County were amazed. The reaction of the Logan County board of education was similar to the reaction of the general public. The board realized that it had a history-making task to perform.

The first reaction was to secure as much information as possible from national, State, and local sources. This information was very meager and the board decided that we must devise a plan that would work in Logan County. The county board and the Russellville City board of education met informally and frankly discussed all phases of the problem.

Logan County Negro high school pupils attended Knob City High School in Russellville, and Logan County assumed its financial part in maintaining the Knob City High School. The combined enrollment of both districts was not enough to maintain an accredited school. The county pupils were transported from all parts of the county, some riding a bus for 20 miles or more. This problem made it necessary that the Logan County board find a solution to integration as soon as possible.

After much thought and consideration it was decided to appoint a citizens' committee to study the problem and make recommendations to the board. A great amount of thought was given to the selection of the committee. The most able people, white and Negro, were asked to serve and in most cases they were willing to work long and hard to find a solution to this important problem. This committee was composed of 14 members, 10 white and 4 Negroes. To some extent this division was based on population ratio. The first official meeting of the segregation committee with the board was in November 1955. At this time the problem of integration was discussed from the legal, moral, and scholastic viewpoint. And the following overall plan was adopted.

First: The teaching staff would be called together and the program explained to them.

Second: The teachers would in turn explain to the pupils that the law of the land required desegregation in the public schools, and explain the other aspects of the decision.

Third: The program was to be explained to the public by calling special meetings at school. PTA meetings were devoted to the problem. Local ministers were asked to preach at least one sermon on integration. Speakers discussed integration at the civic clubs, chamber of Commerce, homemaker clubs, veteran organizations, and last but not least, the integration committee was to hold open meetings.



On November 17, 1955, a countywide teachers' meeting was called. The purpose of this meeting was to inform the teachers of impending desegregation. The legal aspect of desegregation was explained in detail by the legal adviser for the board. Both white and Negro teachers entered in this informal discussion. The administrative staff attempted to have each teacher express himself fully. Any contribution was appreciated and given full recognition. All teachers were given an opportunity to say if they thought they could teach integrated classes with fairness to all. They were given ample time to answer this question before being assigned for the next school year. Eventually all teachers accepted this responsibility. In the 2½ years of integration no complaint has been received from a parent.

The superintendent, members of the board of education, and principals met to discuss the anticipated problems in each school. Plans were made to cope with as many problems as possible. The principals met with each faculty and further discussed their local problems. All of these meetings were regarded as absolutely necessary for successful integration. It is to be remembered that this form of teacher inservice training took place before integration was officially declared by the Logan County Board and Russellville city board.

Preparing pupils for integration taxed the ingenuity of the teachers. It was necessary to do this in a fair but positive way. The splendid cooperation of the teachers is to be commended. Each teacher used different approaches to the problem. The achievements of both races were discussed and evaluated. Where it was feasible the Christian approach was used. This required skill and tact on the part of the teacher. The major approach, however, was that integration was and is the law of the land and we as law-abiding citizens should obey it.

The preparation of the community was of greatest importance. The Logan County board and the Russellville city board employed an attorney to guide them in this and other phases of the integration program.

Local speakers discussed integration at the civic clubs. Ministers, lawyers, and school staff discussed it from all angles. Each speaker was asked to emphasize the main theme that it is the law and should be obeyed.

Homemakers clubs, sponsored by Department of Agriculture, were asked to study and discuss integration. They were able to bring the program to a large and influential segment of the community.

Veterans' organizations, American Legion, and VFW were active supporters and contributed another real service to the community.

After these meetings were held, the citizens' committee held open meetings at advertised times. At the office of the county superintendent these meetings were presided over by the chairman, with the legal adviser. Reporters and staff members were present. The meet-

ings were held in a very dignified manner, and individuals and groups were given an opportunity to express themselves. All persons were welcome and careful attention was given to each suggestion. Three open meetings were held, and when it was evident that all had expressed themselves, the committee started work on recommendations for the board.

In tabulating the opinions expressed to the committee, it was found that almost 100 percent did not favor integration. Without regard to the committee's personal feelings, believing that the decision of the highest court of the land should be obeyed, the following recommendations were submitted to the Logan County board of education.

One of them was practically a status quo of the State as it was.

The other recommendation: In the event Knob City High School is not maintained by the Russellville board of education, it is recommended that the county board of education explore the possibilities of erecting a new Negro high school, and if same is economically feasible, that same be erected.

That was not possible. That was impossible.

The third one is one that was adopted: It is further recommended that if it is impossible to follow either of the above recommendations in regard to high school students, that beginning with the September 1956 school term, all Negro students in grades 9 through 12 be integrated into the county high schools.

Then on March 6, 1956, this third recommendation was officially adopted. Careful attention was given to all of the others, but it was decided that it would be impossible to follow.

September 3, 1956, was the opening day of integrated high schools in Logan County. Plans for opening day were modified to meet the situation. No opening exercises were held; pupils were registered and classified as rapidly as possible. Pupils were not permitted to assemble in groups; all were assigned work so they would not have an idle moment. Buses were scheduled to arrive and depart at intervals. This was to insure a minimum number on the campus at one time. Both white and Negro children were most cooperative and apparently did everything to avoid an incident. Principals and teachers agreed that opening day 1956 was the most uneventful day they had ever witnessed.

On the first day 745 pupils were enrolled in grades 9 through 12. Sixty-three of these were Negroes, and 682 were white pupils.

Studies indicate that the first transfer pupils from the segregated Knob City High School to the integrated high schools had trouble maintaining their previous grade level. The students that made A's and B's in Knob City made C's and B's in the integrated schools. This problem has not been as acute as we anticipated. Scores on achievement tests and intelligence tests are reasonably complementary.

The intelligence test scores seem to indicate that the Negro students lag behind the whites several points. The small number of Negroes tested may be the cause of this conclusion. It is impossible to arrive at a valid conclusion with a 9 to 1 ratio.

The Negro high school students on the athletic teams have conducted themselves with honor. Of the five high schools in Logan County, four have had Negro boys on the basketball teams. In 1956 several schools refused to play our integrated teams. In 1958 we did not have this to happen. In some instances it seemed as if they were anxious to play our teams. Perhaps for curiosity or to show their fans that integration was working in Logan County. In a few instances our Negro boys were forced to take some rough treatment. Officials and fans were sportsmanlike in accepting our Negro players. Negro boys from Logan County have been placed on all county, all district, and all regional basketball teams. These boys were and are pioneers in a true sense.

Integration of the specators has not been the problem that we anticipated. We have no separate seats—all find a place in the crowd as they see fit. Cheers for the Negro player are as loud as for the white. Fans accept the boy for his ability and admire his courage.

Integration has many problems in day to day school life. Rest room problems, cafeteria problems, and playground problems of a minor nature occur. We attempt to handle these problems as if only one race were involved, and to settle it firmly and promptly. Integrated transportation has its special problems; seating must be carefully arranged with consideration of age and sex. The overcrowded bus will cause more trouble than an overcrowded classroom.

It is necessary to curtail social activities at school. Dances and parties have been eliminated as a potential source of trouble. School trips as yet have not presented a problem; for some unknown reason Negro pupils have not elected to go on the senior or other trips.

In conclusion, the Logan County program is simple. We have had excellent cooperation from all interested groups, including the Governor and State administration, the State department of education, the Kentucky Educational Association, the State school board association, and other State agencies.

On the district level, the sheriff's office, the churches, the civic clubs, veteran organizations, PTA, and homemaker clubs have aided.

We have attempted to keep the public informed and have used all means possible.

The reporters of the national papers and close metropolitan paper have been most cooperative and have given us wise and excellent coverage.

The citizens of Logan County and Russellville devised the program through citizens' committees. All interested citizens had an oppor-

tunity to participate and all had the responsibility to see that it was carried out. This program is not a model for anyone to follow, but we feel that it is sound. It is based on two principles that have made our Nation great, Americanism and Christianity.

Thank you.

Chairman HANNAH. Thank you very much, Mr. Piper. Have you had any unusual disciplinary problems as a result of the integration of the high schools?

Mr. PIPER. We have had our problems, our disciplinary problems, but in very few instances have we been able to trace it to a racial situation. We have had the usual number of fights and this, that, and the other, but we can't trace it to an integration problem.

It seems just the normal reaction.

Chairman HANNAH. I think in the information that you furnished us ahead of time it was indicated that a rather large percentage of the Negro students in the high schools drop out as soon as they attain the age of 16.

Mr. PIPER. That is a problem, and we are losing roughly half of them from the time of entrance from the 9th through the 12th grade. That has been our problem also when we had segregated schools.

Chairman HANNAH. These Negro students that drop out, are they usually the poorer students, or do the better students drop out, too?

Mr. PIPER. Well, unfortunately it is fairly a cross section of them. I noticed recently that one of the better students had dropped out, and we had only five or six in the class. You notice that. This boy dropped out and joined the Air Force. Why, I don't know.

Chairman HANNAH. You have no Negro teachers in the high schools.

Mr. PIPER. No, sir. We have had a peculiar situation in that we have not had Negro high school for some 20 years. Our high school pupils attended the Russellville city school, and actually it was a county school maintained by the county under the jurisdiction of the city board of education because most of the pupils there were our pupils.

Chairman HANNAH. Have you noticed any decrease in the quality of the performance of the white students since the—

Mr. PIPER. No, sir. Our testing program doesn't indicate anything of that type. In fact, after the first year the Negro people seemed to have trouble adjusting themselves to the new situation. But they are beginning to pick themselves up. We have made some study on that, but there is not enough to even establish a trend. This may not be exactly in answer to your question—it seems as if the Negro student does a little more with his IQ than the white student. In other words, if he would rank 15th on his IQ test, in regard to position

in class he would possibly up it 2 or 3 points. That is not enough to establish a trend even.

Chairman HANNAH. You made some comment with reference to the fact that the bus situation had in it a potential for more problems than the overcrowded classrooms, and you said something about the importance of seating in the buses. How do you work that?

Mr. PIPER. Well, we separate them according to age and sex and lay the law down to the bus drivers that that is the way it must be, because you could see, hauling on a 48-passenger bus 60 children, the close association that is possible there. We regard that as one of our sources of trouble. We have not had any serious incidents. We have had more possibly minor incidents from that than anything else, so we are beginning to pay very close attention to that.

Chairman HANNAH. I would like to follow one step further. Did you have any predetermined seating scheme in the classes for the Negroes and the whites? Do you put the Negroes together or alphabetical?

Mr. PIPER. No, sir; not at all. That is up to the individual teacher. Some of them will seat them alphabetically, and some of them let them find their own seats.

Chairman HANNAH. Dean Storey?

Commissioner STOREY. No.

Chairman HANNAH. Governor Carlton?

Commissioner CARLTON. No questions.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. No questions.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. I don't have a specific question for Mr. Piper, but for anybody on the panel that would care to take it on—maybe Mr. Piper would care to—and that is, we scheduled this for our own purposes to learn something about the problems of integration in education, and I am wondering if any member of the panel has found it has been helpful from an educator's point of view—if there would be anything helpful in some future meetings of this kind to see if there is progress from the effects of this meeting. I don't want to ask that of any particular person, but maybe someone would like to take it on from the educator's point of view because I know how we feel in this hearing or this conference from our point of view.

Chairman HANNAH. Anyone want to comment on that general subject?

Dr. REX M. SMITH. I would say personally that I have gained a great deal of information from the experiences that have been expressed in this meeting. It has been very helpful because we in West Virginia do not feel that the problem is entirely solved. Many other things may develop.

I am interested, possibly as a number of others, in just what disposition will be made of the information that we have received in these two days.

Chairman HANNAH. Before we come to that one—that is a perfectly good subject, and we will come back to it—perhaps there are members of the panel that would like to address some questions to Mr. Piper with reference to the Logan County, Ky., situation. Let us dispose of that one first. Are there any questions or comments anyone would like to ask?

Dr. CARMICHAEL. Mr. Chairman, I do not have a question, but I do have a suggestion if I may be impertinent enough to offer it to the Commission. Those of us in the larger communities have had attention focused on the things we have done or not done. I want to call your attention to the importance of the work in the smaller communities. If your report will single out the significance of the work in the smaller communities in carrying out this program of desegregation, I think it would be both helpful and completely appropriate.

The problem is no easier in the little community than it is in the big one. I am not sure but that it may be a little harder because everybody knows everybody else, and you are close. There are some advantages; there are some disadvantages.

I just want, before this meeting closes, to emphasize the importance of your recognizing the fine achievement of the smaller communities all over the country, and I have in hand the report on Kentucky that I think you might be interested in. There are 215 school districts in the State. There are 45 of them, I believe, that have no Negro children in them. That leaves 170. Of the 170, 123 have either begun desegregation or have desegregation approved by the board to begin, say, next September, and there are only 18 of these 123—105 have actually made beginnings, so that there are just 18 that have adopted a policy but have not yet begun to put it in operation.

Those are general in many cases. There are smaller communities, and I just want the appreciation of all of us, appropriate appreciation, for the leadership in these small communities.

I might point out that the desegregated districts in Kentucky have about two-thirds of all the school children of the State, and the desegregated schools—that is, the schools in which the student bodies are biracial—have about 40 percent of all the children of the State, and that means that it is pretty well distributed throughout the State, and I wanted as representative of one of the largest systems to pay that tribute to the leadership of the smaller systems of the State.

Chairman HANNAH. Thank you very much, Dr. Carmichael, and you made the statement as eloquently as I could. I should only say amen to your comments, and we will return to it a little later.

Mr. Oliver?

Mr. OLIVER. I would like to say this in reply to the request which the Father has asked. First, as a high school principal and later as assistant superintendent and more recently as the superintendent of schools, I have been dealing with this problem of desegregation for several years now. I have been to my share of educational conventions, American Association of School Administrators and National Association of Secondary School Principals and others. I have observed in meetings of that kind there is not much talk about the problem of desegregation. Actually this is the first opportunity that I have had to sit down with a group of fellow school men and listen to what they have to say and find out what they think and how they are dealing with this problem. Therefore, I would say in answer to your question, I think it has been very helpful to me, speaking for myself, and I believe that as we continue to work on these problems—and certainly we are not through working on them—it would be helpful if additional meetings could be held in which we might exchange our views, our experiences, and our points of view.

Thank you, sir.

Chairman HANNAH. Are there other comments? Mr. Smith?

Mr. BEN L. SMITH. We have commended teachers and administrators for their part in this, and church people generally have been cooperative and helped. I think that we have observed, too, that as a general rule the press and the police have been very helpful in connection with it, and I hope that the Commission would see fit in making its report to call attention to that fact, that it is most difficult to go through this experience without the support of the press and without the cooperation of the police, and it seems to me that they are deserving of the highest commendation as a general rule for the attitude that they have taken and the support that they have given.

Chairman HANNAH. Governor Battle?

Commissioner BATTLE. Mr. Chairman, I would like for my own information to ask a question which Mr. Carmichael or Dr. Fischer or any of you gentlemen might answer who have information on the subject. Is there any difference in the average age in the top grades as between the white and Negro races?

Dr. FISCHER. Speaking for Baltimore, I have no exact data on this, but I think, it is my general impression, in the Baltimore high schools that we probably have more children in the senior high schools, let us say, greater percentage, over 17 years old among the Negro youngsters than we would have among the white youngsters.

Commissioner BATTLE. That is the impression I had gotten. I was wondering if that is correct.

Dr. CARMICHAEL. That would be true in Louisville, too.

Dr. MILLER. That also would be true in Wilmington.

Commissioner BATTLE. Do you have any idea as to the differential, 1 year or two years on the average?

Dr. FISCHER. I wouldn't be able to be specific about it.

Dr. CARMICHAEL. I could not be specific, but I think it would be less than a year.

Chairman HANNAH. Dr. Miller, do you have any comments on that?

Dr. MILLER. The same situation there. I would put it about a year. Our average high school graduate is 18.2 years of age when he graduates. I would say the Negro students are approximately 19.

Commissioner BATTLE. Thank you very much, gentlemen.

Chairman HANNAH. Father Hesburgh?

Commissioner HESBURGH. Along this same line, I would like to follow one point further—and I think perhaps Mr. Fischer of Baltimore has the best data on this—to say that you simply can't compare white and Negro correlations, I don't think, unless you also work into this formula the social and economic background of whites and Negroes, and I believe in the Baltimore studies there have been some correlations worked out between white and Negro middle class, slum families, and so forth. Have you found any correlation once that is worked into the formula?

Dr. FISCHER. No, Father; we don't have anything specific on that. It is our general impression that children from homes of poor cultural background, whether they be white or Negro, do less well in school than children from homes of good cultural background.

The problems I have frequently called attention to—although we haven't found an answer any more than anybody else has, to my knowledge—is that in comparing test results, let us say IQ's, of white and Negro children we tend to compare all white children with all Negro children. We would be on much sounder ground, I think, if we were to compare white children with Negro children of the same general cultural background, and the other way around.

It seems to me that if we did that, we would find that there is much less difference between the races than we ordinarily assume there is.

Dr. CARMICHAEL. We have done a reasonable amount of fairly informal study of that. Our test records for 25 years back are available by school, and you can take the white schools that are in areas adjacent to Negro communities where you get the social and economic level of the white as nearly comparable to the total Negro of the area as you can, and if we take those white schools and the Negroes in that general geographic pattern, the difference becomes substantially less than when you take all whites and all Negroes. I am sorry I don't have figures that I can quote, but we have done considerable study on that.

Dr. FISCHER. If I might say, there is one other thing on this general subject. It seems to me there is another factor in this comparison



that needs to be taken into account. While this business of cultural background, social and economic background, makes substantial difference, there is also another factor, and that is less tangible than these. That is the question of motivation, the kind of motivation that comes from our general social situation.

Let me be specific. We are fond of saying in this country that any boy can become President. It would require somewhat of a stretch of the imagination to suggest that we say any Negro boy can become President. This would not be accepted in the United States today, I think. Negro children are aware of this, if they have any intelligence at all, just as white children are.

We say that any white boy who applies himself and gets a job with a good employer can rise to the top of his organization and become president or chairman of the board. All he needs to do is to work hard enough. To suggest this same statement would be true of any Negro boy again would require a bit of a stretch of the imagination and perhaps a stretching of the facts. This inevitably has an influence on the motivation of children in the schools.

Chairman HANNAH. I am going to call upon some of our people that are invited guests to see if they have any questions that they would like to put to this conference before we adjourn it.

Before I do that, however, Mr. Wadzeck was a little concerned by a statement in one of the newspaper stories. He is afraid some of our people might be misled with the reference to the statement about the \$100,000 that came to San Angelo from a foundation.

Mr. Wadzeck, would you like to comment on that?

Mr. WADZECK. Thank you, doctor. I think that I talked to the newspaper people, and they have that straight, but for the record I would like to be sure that it is. In a paragraph it said, "He said that as a result of the way in which integration has been handled in his city the school system has received much favorable publicity and a hundred thousand dollar grant from a national foundation he did not identify."

That could be interpreted by some people that some organization gave us a hundred thousand dollars to integrate. We received very little publicity. In fact, we had at least a dozen newspapers come to San Angelo to write stories but didn't write them after they had been there because there was nothing they considered of news value because there was no incident.

This happened at a time when I was answering questions from Dean Storey concerning our curriculum. The curriculum was started 2 years before the Supreme Court ruling. We have been teaching on three distinct levels during that period of time, and the publicity that we have received has been on our quality of education, on our school buildings and curriculum, and the grant was made to help us to move a little faster in our curriculum so that it might have some

implications to other educators, and I know of at least 400 school systems that are adopting this curriculum this year, so that was the purpose of the hundred thousand dollars and not because we integrated.

Thank you.

Chairman HANNAH. Mr. Richardson, do you have any questions or comments that you would like to make as the Assistant Secretary of Health, Education and Welfare?

Hon. ELLIOTT L. RICHARDSON. I have no question, Mr. Chairman. I would simply like to comment that from the point of view of representing a national Federal Government agency with particular concern for and responsibility in the field of education, to be a guest at this conference has been an extremely illuminating experience.

I feel that I have learned a great deal, that what I have learned will be of value to Secretary Flemming and others in the Department.

I shall look forward very much—and I am sure others in the Department will similarly look forward—to receiving the Commission's own report or summary, whatever character may come from this, and I was particularly pleased to hear comment made by Mr. Oliver as an educator with respect to the value of this type of conference and discussion from his point of view, and I hope that his feeling that similar conferences can be held as further experience in the process of desegregation goes forward will in fact materialize, either under the auspices of this Commission or under other auspices.

Thank you very much, Mr. Chairman. I appreciate greatly the opportunity to be present.

Chairman HANNAH. Thank you very much, Mr. Richardson, and we appreciate your being here.

Dr. Carr, you have been strangely silent for 2 days. As Executive Secretary of the National Education Association do you have any comments or questions?

Dr. WILLIAM G. CARR. Mr. Chairman, I make my living, sir, attending conferences. I suppose at least 80 percent of my time is spent around tables like this one. So that when one who has this kind of an occupation is invited to attend another, he thinks it over.

I want to say that I am extremely grateful for the invitation to attend this conference and that it has been of the highest value to me personally in an effort to understand what our school people are doing and the problems they are encountering and the channels by which they succeed.

It gives me a great sense of pride to hear Miss O'Brien and these gentlemen set forth their problems, pride in being associated, however indirectly, with an occupation which can produce people like that. I just hope that some of their courage and foresight and ingenuity and skill will rub off.

Chairman HANNAH. Dr. Dobbins, representative of American Council on Education, do you have any comments?

Dr. CHARLES G. DOBBINS. Mr. Chairman, I have no questions. I should like to say that to me the meeting is certainly well conceived and beautifully organized. I have received a great deal of valuable information. I am sure that all of us as participants have benefited by the reports and by the discussion. I believe, too, that the public will get a great deal of benefit from the stories that have come out of this meeting.

It has been a great privilege to participate.

Chairman HANNAH. Thank you.

Do any of the members of the advisory committees that are here as our guests, sitting at the table over here at my left, have any questions or comments?

Mr. JOHN HOPE II. Mr. Chairman, I would simply like to make this comment: I have worked in this field in various capacities for the last several years in the South, and I want to join with my neighbor, Superintendent Oliver, in saying that I think this has been a most valuable meeting for the South for the same reasons, that we find that the walls are not confined to the races. Frequently the walls are between different people who are striving for the same end in this difficult problem, and I think that the Commission has made a valuable contribution to all of us in solution through this meeting.

Mrs. JOHNSON. I am a member of the Tennessee Advisory Committee, and I am sure we will be helped by what has taken place here. I would simply like to comment a word of reminder to advisory committees and school people and the Commission as they proceed. One of the most difficult things, I think, for us to keep in mind, particularly southerners, is who is getting hurt in this situation.

I have wanted to address this as a question to both Dr. Carmichael and Dr. Fischer when they spoke of voluntary plans, and Dr. Fischer made the statement that he totally disapproved of manipulation. I would like us to keep reminding ourselves that the Negro children who are refused admission to the school of their choice have as much been manipulated as those white parents who do not want their children to attend an integrated school.

This is very definite for me as a southerner to keep in mind as for some of the rest of us perhaps.

Chairman HANNAH. Thank you, Mrs. Johnson.

Mr. GEORGE R. DEMPSTER. I am from the eastern end of the State of Tennessee where we don't have the same problems that we do have in west Tennessee about the Negroes. These neighbors of mine tell me how they raise a hundred bushels of corn an acre down here in west Tennessee, and up in my country we have to shoot our corn

in the hillside and bring it down in a jug, so we don't have that problem about labor.

General Booker told me these microphones are like cuspidors—they are no good if you don't hit them—so I am going to try to hit this one.

I heard one gentleman here yesterday speak about the old days. I had a great deal of experience back in those days, and times are improving, but I was on a panel one time in Brooklyn, N.Y., and they asked me as a southerner to give a definition of a Ku Kluxer. I said he is a disgruntled southern Democrat who will sleep with a Negro but won't eat breakfast with her, and I think that is like the boys that are making the distinction there about not playing with the boys in Delaware.

But I want to tell you gentlemen as a former public official and industrialist, things are improving in the South. I know in my firm we have 4,500 people, and for many years we have had complete integration there in the cafeteria. That is something that hasn't been prevalent in Tennessee. We haven't had our first incident yet, and I believe if the fellow upstairs can take a liberal attitude about this, he can help solve it.

I am only about 20 miles away from Clinton, and I do sympathize with those people in Clinton because, as Mr. Crossno said today, and the other superintendent, they did not get the support from the Federal Government in that deal they should have had. Had they sent an FBI man down with the United States flag draped around his shoulder, I am sure that trouble would have stopped much more quickly than it did. You have to see that school to understand just what that meant, and that is an area where there is a very small percentage of Negroes, too.

It is just rather like this fellow Kasper that came down in this country with nothing to do except to raise hell, and they are the ones giving us most of our trouble, and if you just keep those fellows back in their hometowns and throw them into jail and knock the back end of the jail out with them, we in Tennessee will be able to solve our problems.

I am impressed with the intelligence of the men who testified the last few days, and I am sure many of us can take back to our own people impressions we get from these highly educated gentlemen, and it will certainly be beneficial to us in every area we go into.

Thank you very much.

Chairman HANNAH. Thank you very much.

Mr. JOHN ROGERS. I think these past 2 days have been two of the most beneficial days for me that I have experienced, having been interested in education for a good long while. I am deeply impressed with the problems some of these school men have in their areas. It has also convinced me, what I felt I already knew, that all com-

munities have different problems, the problems vary in different communities. I would like to make a brief statement about higher education in Oklahoma. We have one board, of which I have been a member for 18 years, which has complete control of functions and admissions and so forth of higher education.

Oklahoma cuts a good deal of ice in these educational problems because we have two cases which came down from the Supreme Court of the United States, and we immediately thereafter admitted Negroes to our two universities where we were offering the same functions at the Negro university, and then when the second Brown case came down, we ordered segregation in all of our institutions of higher learning. I think that helped pave the way so far as the common schools were concerned.

I would like to make this statement. You heard from two of our larger schools in Oklahoma. I would like to say Oklahoma has made excellent progress in integration in these smaller areas. I would like to compliment the areas in Oklahoma, county seat towns, as an illustration, who have done away with their small Negro high schools and gone over to the white high schools. That has happened many places in Oklahoma, and I think that is a good test of integration when things like that take place.

Thank you very much. It is certainly a privilege to be here, and I appreciate the invitation.

Chairman HANNAH. Mr. Smith from North Carolina, do you have any comments? Mr. Smith is chairman of the Advisory Committee there.

Mr. J. McNEILL SMITH. Thank you, Mr. Chairman. I want to thank you for the invitation. I think my pride and respect for all school men has gone up a great deal, and I am convinced that these gentlemen do not represent all of the school men. In North Carolina and South Carolina, Georgia, Mississippi, Alabama, and States that are not represented there are fine leaders among the school people, and I will say as a person who is not a teacher and is not a member of any school board that there are a lot of good southerners who are very closely watching this experience, and if we can share what we have learned here with our fellow citizens, I think the process of education is not going to be limited to youngsters or school children, and we can look forward to progress being made throughout the South, and I hope in another meeting, as Father Hesburgh talks about, we will have an even broader record than we have here.

Chairman HANNAH. Thank you very much, Mr. Smith. I think that is a fine note on which to conclude the informal part of the program.

Mr. Shepherd?

Mr. JOSHUA K. SHEPHERD. I would like to add my words to those of appreciation of this meeting. I think it is fine, and I would like us to take note of the fact that need for time has been emphasized by the experience of Louisville and Baltimore which started 10 years before this fateful decision. We need time, time.

Another thing, we need to urge the Federal Court to enforce its injunctive orders by use of its own marshals for that purpose and never the soldiers. A soldier under arms and bayonets creates the impression, the horrifying impression, of an atmosphere of civil war, and I urge you not ever to recommend the use of soldiers to settle our family disputes. We have police authority to do it. Marshals can be added to in numbered strength.

Thank you.

Chairman HANNAH. Thank you, Mr. Shepherd.

It has been pointed out that I haven't turned to the chief school officers that are here. Do you have anything you would like to say, Dr. Wilborn or Dr. Pullen?

Dr. LEE WILBORN. I have no questions, Mr. Chairman. Thanks to you and the Commission for this privilege of attending the conference.

Dr. THOMAS G. PULLEN. I would just like to say I think the meeting was very good.

Chairman HANNAH. Mrs. Cole, who has had much to do with the arrangement of this conference, suggests that I request the State superintendents who have not already done so to send us a report on the desegregation from their States. It would be very helpful. We have not received reports as yet from Kentucky and West Virginia.

Mrs. COLE. Pardon me, sir. Those are the two we have.

Chairman HANNAH. I didn't read the note properly. We have Kentucky and West Virginia, and we need the reports from the rest.

The question was asked here a few minutes ago as to what the Commission will do with the information that has been brought out here. In opening the meeting yesterday some reference was made to the act that creates this Commission, pointing out that the act itself gives the Commission the responsibility for investigating complaints that have to do with deprivation of the right to vote or have the vote counted because of color, race, religion, or national origin, and then there are two additional sections, to study and collect information on denial of equal protection of laws under the Constitution, and three, to evaluate the sufficiency of laws and policies of the Federal Government with respect to equal protection, and it is carrying forward those three objectives that the Commission has been concerned with since its appointment and particularly since the formal approval, the formal confirmation, of the members of the Commission by the Senate last spring. We indicated the Commission, recognizing that we have only

a few months to operate in—we are expected to go out of existence by the 9th of September of this year—we couldn't possibly cover the whole waterfront. We had the responsibility for doing whatever we could in the voting area that we are doing. We held the hearing in Alabama. We have had a considerable number of complaints from other sections that are in the process of investigation, and so far there is no indication that we can't get all the information that is required to make it possible for us to make the best recommendations that we can to the President and to the Congress without holding any further hearings in that area.

On the second area of housing, we went into the city of New York in early February and held a hearing there. The hearing in New York was held there because of the very large minority groups, Negroes, Puerto Ricans, Jews, in a city that has more in the way of ordinances and State laws designed to provide for elimination of discrimination in housing than anywhere else in the country. We were not in New York because the New York situation was particularly bad, but because of the magnitude of the problem and because of the fact that here was a situation where the community was trying to do something about it.

The Commission has decided to hold some additional hearings in the area of housing in different sections of the country, and the dates and the locations of those hearings will be announced within a few days.

In the area of education we spent a good deal of time thinking about how and what we should do in this area. We came to the conclusion that probably the most useful manner for us to proceed was to arrange this conference and limiting participation to the school systems that have made some progress toward desegregation; that if it was going to be the kind of a conference we wanted it to be—and it has been—it would have to be limited in the number of participants, and so the decision was made that we would invite school people representing the big city school systems, smaller cities, and rural communities; that we would try to get at least one representative from each of the States where some steps have been taken and some schools are actually operating on a desegregated basis that were formerly separated.

We have had representatives from all but one of the States here, and we are grateful to you for taking the time that has been required to prepare the information that we asked you to send to us before you came; we are grateful to you for taking your time to come here to participate with us in these 2 days.

Now, this Commission will, through the complete record that has been taken, give very careful consideration to everything that has been told to us today, everything that we can get from other sources that we have up to now or that we can get in other ways, all toward

the end that we may be able to include it in this report, using such wisdom as we have, which is very limited, of course, and come up with recommendations that seem to us are likely to be helpful to the President and to the Congress.

I know you all recognize the Commission has no enforcement power. We are only a fact-finding body. There are some measures in the Congress that have as one of their purposes the extension of the life of this Commission, but the membership of the Commission intends to complete a report by the 9th of September. That is what we undertook to do when we embarked upon this program, and that is what we propose to do. If the Congress and the President decide that this Commission should continue, at least we will have finished the job we started to do, and this Commission or its successors can go on from here.

With all the sincerity possible, thank you very much, and then finally, after you go home and have had a little time to think this thing through, if you have some suggestions that you would like to make to us that were not brought out in this conference, or if you have comments with reference to anything that was brought on the record that you think would be helpful to us, we will appreciate it very much, and we would particularly appreciate anything that you would care to say to us in this area or in our efforts to exercise the responsibility in that section where we are charged with evaluating the sufficiency of laws and policies of the Federal Government with respect to equal protection, and of course we are talking now with respect to equal protection in so far as the operation of our public schools is concerned.

The Commission decided very early that the solution to the problem in the schools and in other areas in our view is not going to be written in legislation, written in Washington, or in the State capitals. Legislation may help; but in the final analysis this matter is going to be settled only to the degree that the citizens of all of the communities of this country recognize that civil rights is an important problem.

Most of us who knew little about it when we came to the Commission have come to the conclusion that there probably is no more important problem facing this country, both from the standpoint of maintaining tranquility at home and from the standpoint of the profound effect that our actions in this country have on our successes in carrying forward the best interests of the United States around the world, recognizing that this struggle in which we are involved with the Soviet Union is not likely to be won on a battlefield; it could be lost there, but it is not likely to be won there. Whether it is won or lost is probably finally going to be determined by the decision that is made by the people in that third of the world not now firmly committed, either to our basic philosophy or that of the Soviet Union, and that third of the world is largely nonwhite. The actions that we take within this country may



profoundly affect the decision that they make, and the decision that they make may profoundly affect the future of this country and our role in world affairs, and so, as most of you know, this Commission has undertaken this responsibility with a deep sense of obligation. It is not an assignment anyone sought. We are going to do the best we can with it, and if we are going to do as well as we can, we need the help of you and others like you, and in the school area particularly do we need the help of those who have had experiences in moving from segregated to integrated or desegregated schools.

They are ready to serve luncheon to us in this room. We will take 5 or 8 or 10 minutes and come back and have lunch here.

The conference is adjourned.

(Whereupon, at 12:30 p.m., the conference was adjourned.)