REPORT
ON
FLORIDA

BY THE
FLORIDA ADVISORY
COMMITTEE TO THE
UNITED STATES COMMISSION
ON CIVIL RIGHTS

AUGUST 1963

CONSTITUTIONAL PRINCIPLE vs COMMUNITY PRACTICE

A Survey of the Gap in Florida

Report of the Florida Advisory Committee

to the

UNITED STATES COMMISSION ON CIVIL RIGHTS

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UNITED STATES COMMISSION ON CIVIL RIGHTS

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Preface

The report was submitted to the United States Commission on Civil Rights by the Florida Advisory Committee on May 31, 1963. The Florida Committee is one of the 51 Committees established in every State and the District of Columbia by the Commission pursuant to section 105(c) of the Civil Rights Act of 1957. Its membership consists of interested citizens of standing who serve without compensation. Among the functions and responsibilities of the State Advisory Committees, under their mandate from the Commission on Civil Rights, are the following: (1) to advise the Commission of all information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; (2) to advise the Commission as to the effects of the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution; and (3) to advise the Commission upon matters of mutual concern in the preparation of its final report. The Commission, in turn, has been charged by the Congress to investigate allegations, made in writing and under oath, that citizens are being deprived of the right to vote by reason of color, race, religion, or national origin; to study and collect information regarding legal developments constituting a denial of equal protection of the laws; to appraise Federal laws and policies with respect to equal protection; and to report to the President and to the Congress its activities, findings, and recommendations.

Contents

Introduction

The Florida Advisory Committee was reorganized by the United States Commission on Civil Rights in the spring of 1962. The new Committee's organizational meeting took place in June of that year, and its first public meeting was conducted in September at Daytona Beach. Therefore, by the time President Kennedy, in his Special Message on Civil Rights on February 28, 1963, reminded Congress and the Nation that the practices of the country frequently do not conform to the principles of the Constitution, the Florida Committee had already been engaged for several months in a survey on the same point. The Committee's survey focused specifically on discovering and spotlighting open doors to better employment and job training opportunities for members of groups who had generally found such doors closed.

In its quest for facts about employment opportunities for members of minority groups, the Committee invited private citizens and public officials, as well as the press, to meet with it in Tampa, St. Petersburg, Orlando, Jacksonville, Miami, and Tallahassee. The members of the Committee undertook this task with the expectation that they would receive full cooperation from the officials of Florida. Yet, disappointingly, among the State officials who did not respond to the Committee's survey were Governor Bryant and members of his cabinet (with the exception of Attorney General Richard Ervin and Secretary of State Adams), the entire State Road Department and the Turnpike Authority, as well as some lesser agencies. Those Floridians who did participate in the survey, however, contributed valuable information.

In addition to anticipating some form of official participation and assistance in the conduct of its survey, the Committee expected to report a climate of equal opportunity for the Negro citizens of Florida. It based this hope on the State's relative freedom from racial violence and on the quiet dignity with which some progress toward integration has been made. But in probing beneath this atmosphere of apparent racial calm, the Committee discovered many gaps between constitutional principles and community practices, which are not always exposed to the bright sunlight of this southern climate. Specifically, the Committee has found that the Constitution is not a guideline for State practices, and that there are still Floridians in positions of leadership who fail to understand that all citizens, regardless of color, are entitled to the full protection of the Constitution.

The following report proposes to expose and analyze some aspects of this gap. This particular study is confined, however, to those aspects that manifest themselves in the areas of education, apprenticeship, employment, and health facilities. It does not cover, for instance, denial of the right to vote; yet two Florida counties, Lafayette and Liberty, with nonwhite populations of 11.9 and 15.2 percent, respectively, still have no registered Negro voters.[1] Further, the report does not discuss denial of the right to buy and sell in an open market, even though many of our people are still prevented by custom, fear, or law, from selling homes, businesses, goods, or services to many other people, in spite of our Constitutions and our free enterprise tradition. Finally, the report leaves undescribed the denial of the right to equal justice. Samples of this enduring racial inequality are the segregated courtrooms and juries that may still be found in this State.

The Committee wishes to acknowledge its debt to those public officials and private citizens who were responsible for submitting the information which forms the substance of this report. This report is addressed to the citizens of Florida as well as to the United States Commission on Civil Rights. It is but a rough outline of the gap between principle and practice in this State. More details could and should be filled in by study on the part of private groups and/or by this Committee. Perhaps an even better study group, however, would be an official biracial committee accountable to the State of Florida.

Nevertheless it is clear that closing the gap is more important than studying it. Implementation of the Committee's recommendation that defendants be made liable for the reasonable attorneys' fees of successful plaintiffs in civil rights cases might well provide a significant weapon for the achievement of this end.

The Committee hopes that this report will spur the citizens of Florida to examine their attitudes and to consider the effects of their practices in order that all may eventually share in the opportunities afforded by the new age that is before us. If Florida is to become a real example of leadership toward the promise of American principles and ideals, as this Committee believes it should, the gap between principle and practice will have to be closed.

NOTES: INTRODUCTION

1. As reported in the latest information from the secretary of state of Florida (Oct. 6, 1962).

1. General Background

In November 1962, Floridians revised their constitution to incorporate the fundamental principle of equal rights, by inserting the phrase, "We, the people of the State of Florida . . . to . . . guarantee equal civil and political rights to all do ordain and establish this Constitution." Thus, on paper at least, Florida constitutionally seemed to reaffirm its union with a national ideal.

The last decade has brought a tremendous influx of people, industry, and business from the North into Florida, mostly in connection with the Federal Government's space program. The State, which had ranked 20th in population in 1950, had the 9th largest population (over 5 million) in the Union by 1960. This great immigration of large numbers of new southerners is an important--perhaps the most important--factor in whatever progress Florida has made in the area of race relations. Another factor is the attitude of the State's newspapers, most of which have been fair in their treatment of racial issues, and some of which--most noticeably the Miami Daily News, the Miami Herald, the St. Petersburg Times, and the Daytona Beach News-Journal--have actually been leaders in the effort to improve civil rights conditions in Florida, and have struggled to provide an atmosphere of open-mindedness.

The constitutional reaffirmation of 1962, however, belies the actual condition of race relations in Florida. For, although the Negro population of Florida is small by southern standards--only 20 percent of the total citizen body--the indisputable fact remains that social taboos exist for the Negro in Florida, particularly in the northern part of the State, as solidly as in Mississippi or Alabama. Consequently, under the facade of relative racial calm, this remains a tight-white State.

Florida's white "power group," which might be called the White Establishment, controls the economic and political life of the State. Supported by an education superior to that provided for the Negro in predominantly or totally segregated schools, the White Establishment supplies the State's industrial and business executives as well as its labor leaders and politicians. This group, moreover, holds the key to opportunities for advancement in Florida, but keeps the door generally locked to the Negro,

even though, in some instances, he may possess an equal ability to further the community's interest.

The Negro is excluded from this power structure. Since school integration as such is still only token at best, the children of the nonwhite minority do not become acquainted with those of the white majority. Key Clubs, Homemakers Clubs, and other school service groups are segregated for white youth only. The leadership, therefore, which emerges and joins the Kiwanis, Rotary, Lions, or women's clubs or lodges and any other community organizations, is exclusively white.

As a result, the qualified Negro civic leader must live outside the White Establishment, continually denied his right to contribute to his community's advancement. His advice is never sought in community planning, except in token instances when he may be granted a seat on an urban renewal board or membership in a relatively powerless human relations committee or organization. Even then, he suffers from the taboos--for these integrated groups are not free yet to meet at just any hotel, motel, or civic center.

PUBLIC ATTITUDES

The Committee found a void in leadership at the higher levels of business and industry as well as among members of the State's officialdom. So too, white lawyers and ministers have failed to insist that discrimination cease. Only a handful of religious leaders have joined in the efforts of the Florida Council on Human Relations or of other such groups to improve the lot of the Negro in Florida. It is not suprising, therefore, the degree of desegregation that has been achieved in Florida bears the increasingly familiar title of "tokenism." It should be noted, however, that such desegregation as has been accomplished was largely accepted without violence or excitement, with the exception of a riot in Jacksonville, which accompanied lunch counter sit-in demonstrations there in 1961.

For instance, up and down most of Florida's more than 1,000 miles of beaches, integration has proceeded with little attention by Floridians. Occasionally some southern visitors have objected and have attempted to intimidate Negroes riding on the beaches or swimming in the Gulf or ocean--including visiting African students at Bethune-Cookman College in Daytona Beach.

When Negroes have stood their ground, even without police protection, the abusiveness has melted. In one instance, a Negro minister was surrounded by a crowd of white tourists and threatened with violence. He invited them to "do what you will--I merely am exercising my rights as a taxpayer in this city." A white man, watching the ugliness of the mob a few feet away, approached and admonished them for their behavior. As a result of his actions the crowd dispersed and the minister remained on the beach.

During the incident, a police car had driven by and parked some distance from the scene, apparently observing the minister being abused by the crowd. The occupants of the car made no effort to intervene. Since then, as a result of protests from the local chapter of the Florida Council on Human Relations, police have had orders to break up any such mobs. However, no further incidents have been reported.

THE JACKSONVILLE STORY

It was in the city of Jacksonville, 2 years ago, that Florida experienced its worst racial incident since the 1954 Court desegregation decision. The riot grew out of the attempts of young Negro civil rights leaders to stage sit-in demonstrations at lunch counters throughout the city.

The actual outbreak of violence was triggered when a group of hot-tempered demonstrators, tired of having their requests for service ignored in the stores, marched four abreast down the main streets of the city. During their march they forced white pedestrians off the sidewalk. The police, which had stood passively while the peaceful demonstrators were being threatened by white customers in the store, intervened at this point, causing some of the marching Negroes to run. In rounding a corner, a couple of the fleeing demonstrators collided violently with a white woman, knocking her through a plate glass window.

Chief of Police Branch, who stated that the incident was accidental, told the Committee that arch segregationists in the city spread the word in nearby Florida and Georgia cities that the Negroes had deliberately hurled the woman through the window. A mob was quickly recruited, and for a week Jacksonville indulged in a prejudice binge, during which white men in overalls and jeans carrying ax handles and baseball bats, prowled the Negro section of the city. At the end of the week, the city awoke with

a racial headache of seemingly incurable proportions. One man was dead--a Negro--several were injured, and scores were in jail.

Chief Branch admits that the week's events were due to a mistake on the part of the police the day the incident of the window occurred. "Our mistake," he said, "was in not telling these people to go home and fix your axes or go to the baseball park--or go to jail."

It is the opinion of the Committee, however, that the initial mistake lay in the refusal of Mayor Hayden Burns of Jacksonville to listen to the request of concerned citizens of the city that a biracial committee be appointed to mediate in the conflict between the demonstrators and the variety-store managers. This might have brought about a peaceful solution. The second mistake, in the Committee's opinion, occurred when the police failed to protect the demonstrators against abuse.

At present, Jacksonville's lunch counters are integrated. Negroes have been served there and in some department store restaurants without incident. It is interesting to note that in the end this transition was effected by a voluntary biracial committee which bypassed the Mayor and negotiated a peaceful solution.

Chief Branch felt that breaking this barrier of discrimination has been good for race relations in the city. Commenting on the reason for the lunch-counter segregation of former days, Branch said, "The trouble with people here today is not whether I sit by you, or whether I stand by you, or whether I eat by you. If the people will just forget what the other man is going to say about it . . . that's the thing. It's what's John going to say if I'm seen down here eating lunch with . . . . Well, I mean, we put it as a group, not as individuals."

OFFICIAL ATTITUDES

America is founded on the basic assumption that the primary responsibility of governments--whether Federal, State, or local--is the protection of the individual citizen. In Florida, however, very few public officials have spoken out in support of equal rights for all citizens. In fact, the State does not now have an official agency concerned with race relations, although an effective Commission on Race Relations existed under the previous State administration.

The Florida Advisory Committee was rebuffed in its efforts to establish a working relationship with the State administration. When a subcommittee of the Advisory Committee appeared before the State Cabinet on November 13, 1962, seeking assistance in a survey of job opportunities for Negroes in State agencies, Governor Bryant showed some annoyance.

"This is another intrusion in the State's affairs by the Federal Government," he told Chairman George Lewis, a fourth generation Tallahassee banker. He further warned Lewis that he would ". . . just cause race friction."

It is true that legislators are no longer enacting "last resort" laws to close integrated schools, or school enrollment laws aimed at retarding the integration process. Yet, from time to time they still give serious consideration to desperate segregationist measures that border on the humorous. For example, during the April-May session of 1963, a bill came out of committee which, if it had been passed, would have required every tourist accommodation and restaurant serving both races to display a foot-high sign, reading "INTEGRATED."

More serious was a rural legislator's objection to granting merit raises to Negro teachers equal to those granted their white counterparts. Calling Negro teachers "darkies," he declared that a Ph.D. degree from the University of Florida was worth much more than a similar degree from the all-Negro Bethune-Cookman College. Obviously, the legislator was not aware of the fact that no Negro institution in the State offers graduate work on a doctoral level; the highest and only graduate degree at Florida A & M University is an M.S. in education. Such misunderstanding about the opportunities that Florida offers its Negro citizens is not uncommon among the State's leaders.

This insensitivity to civil rights problems is especially apparent among municipal police forces. Not only do these forces generally neglect to protect Negro demonstrators, but they completely fail to provide any form of guidance in this era of ferment and transition. When Police Captain Hobbs of the Jacksonville police force was asked by the Committee if he felt that the police could teach the community by example in the area of civil rights, he replied: "We're not out there to remake human nature." Indicative of this attitude is the fact that Negro patrolmen still stand on one side of the courtroom, Negro trial observers sit in the segregated audience section of the courtrooms, and jails still remain segregated.

Thus despite the growth of Florida's population and economy, one-fifth of her population is still deprived of its rightful share in the State's development. Although, on the surface, Florida is a progressive Southern State in race relations, her private and public citizens alike are doing little to crack the well-established, segregated pattern for living.

The rest of this report will examine the extent of discrimination in education, apprenticeship training, employment, and medicine, and will conclude by recommending means to eliminate such unlawful discrimination.

2. Education

The education and training provided for the Florida Negro is markedly inferior to that enjoyed by his white counterpart. Slightly more than 225,000 of the 1,100,000 youngsters enrolled in public schools in the fall of 1962 were Negro students--20 percent of the total school population. While it is true that the proportion of Negro to white students in grades 1 through 6 (1 to 3.2) is much higher than the ratio for the total population (1 to 4.6), the ratio drops precipitously below the population proportion in grades 10 to 12 (1 to 5.5).[1] Among persons 25 years of age and older, more than 7 times as many whites as Negroes have advanced beyond the eighth grade; only 5 percent of the Negro population has gone to college in contrast to 20 percent of the white population.[2]

Several reasons can be assigned for this inequality. In the first place, the State does not provide the same quality or number of courses of instruction for both races. Secondly, the State insists in large measure on continuing the segregated school systems which were made illegal in 1954, with the result that Negro children continue to be taught by teachers trained under segregated circumstances. The final reason is that Negro students drop out in large numbers after the completion of eight grades of elementary school, perhaps partly in recognition of the futility of their acquiring more education.

The total effect of this State-imposed educational deprivation is to re-enforce and perpetuate racial discrimination in Florida. The educational gap accounts for much of the difficulty Negroes in this State have in obtaining and holding jobs, and in making a decent living. To complete the "circle of inferiority," this disparity tends to rob Negroes of the incentive to provide a better education for their children.

The responsibility for public education in Florida is vested in a State Board of Education and in 67 county school boards. Since the second Brown decision, in 1955, it is incumbent on the school authorities to initiate school desegregation. As the Supreme Court stated in that decision:

> The duty to initiate desegregation of the public school system . . . . is that of the defendants /school authorities/ here, and not of the parents of enrolled pupils

by requiring that such parents seek reassignment of their children to a school maintained for and attended by pupils of the opposite race.

Law and custom have created a completely segregated school community. The Florida constitution still requires that: "White and colored children shall not be taught in the same schools, but impartial provision shall be made for both."[4] Each of the 67 counties had separate school systems, including separate teaching staffs and athletic facilities.

Institutions of higher learning were similarly segregated. Florida A & M University was limited to Negroes, while Florida State University as well as the University of Florida were restricted to white students.

The second Brown decision, though, carried the mandate that school boards throughout the Nation must:[5]

> Make a prompt and reasonable start toward full compliance with our May 17, 1954, ruling. Once such a start has been made, the Courts may find that additional time is necessary to carry out the ruling in an effective manner. The burden rests upon the [school boards] to establish that such time is necessary in the public interest and is consistent with good faith compliance at the earliest practicable date.

While it was not to be expected that the Supreme Court decision would result in immediate and total desegregation of the schools, it is not unreasonable to assume that the desegregation process could have been universally instituted in 8 years. The actions of many Florida school officials in the intervening years, however, border on civil disobedience. Many of them have broken the solemn oaths imposed upon them by law to obey the Constitution of the United States. Through quasi-legal devices to evade and circumvent the law, these public servants have managed to prevent all but 10 of the 67 school districts from desegregating their facilities. The number of Negro students currently attending schools with white students (1,168) is small.[6] Where integration in the educational system has taken place, it has generally been under compulsion of court order or threat of court action. Such integration is frequently token. For instance, in Pinellas County, where there has been only the threat of court action, there is just one Negro enrolled in each of the public schools. In almost

no instance have Negro parents received any cooperation when they have attempted to secure the rights due their children. Obedience to court orders has usually been exacted from recalcitrant school officials by Negro parents laboring under unbelievable economic, social, and legal burdens imposed upon them by the State.

Even after 1954, schools were built with an eye to continued segregation. School boards did not create new educational plants in "mixed" housing areas. No encouragement was given by the boards to Negro parents seeking out the nearest and best school for their children. Few school boards advised parents that pupils could now be enrolled in schools without regard to race. When parents were thus advised, it was done grudgingly, under the command of a court order. The letters advising of the "new" policy were frequently ambiguous and written in language beyond the comprehension of those who lacked the education of their authors. An example of such a letter is appended to this report (appendix A). Moreover, behind nearly every transfer of a Negro student to a white school lies an extensive record, and usually an order of a Federal judge or of an administrative hearing that has taxed the courage, ingenuity, and finances of both the parents and the child involved.

Except in Dade County Junior College, teaching staffs have remained segregated. Even the professional teacher organizations are two separate and distinct groups. The sole exception to date occurred on May 2, 1963, when the Dade County Classroom Teachers' Association mailed letters to all Negro teachers in the Dade County Public School System inviting them to join the previously all-white organization.[7]

Given the degree of segregation being practiced in the State's school districts, it hardly seemed necessary for the Florida Legislature to re-enforce this pattern of segregation by adopting a pupil assignment law.[8] Yet it did so in 1956. Despite its guise of compliance with the law of the land, this act, by leaving the entire matter of student enrollment to the arbitrary discretion of race-conscious school officials, actually functions to preserve the illegal pattern of segregation. Furthermore, there are no standards in the act providing for pupil assignment other than the following passage:[9]

> Such sociological, psychological and like tangible social scientific factors as will prevent as nearly as practicable any condition of socio-economic class consciousness

> among pupils attending any given school in order that each pupil may be afforded an opportunity for a normal adjustment to this environment and receive the highest standard of instruction within his ability to understand and assimilate.

As a result, the sine qua non of admittance to a white school still remains a white skin. The pupil assignment law in actuality enables school officials to cement existing patterns of segregation even more firmly than before while proclaiming their adherence to the law of the land.

Judge Simpson, a southern Federal judge, explained in Braxton v. Board of Public Instruction of Duval County, how the pupil assignment law further entrenched educational segregation:[10]

> That law /pupil assignment law/ has not been employed to accomplish desegregation of the public schools. Instead it has been used as an instrument and as a means to perpetuate a policy, custom and usage of segregated schools. Pursuant to the law, the defendants have assigned, reassigned and transferred Negroes to Negro schools and have assigned, reassigned and transferred white students to white schools. . . . Now as in the past, Negro personnel are assigned to Negro schools and like personnel are assigned to white schools.

In Manning v. Board of Public Instruction of Hillsborough County,[11] the Court chastised Florida school officials as well as legislators for the administration of the pupil assignment act:

> The course of dealing there set forth is a clear demonstration of the way in which the Florida pupil assignment law and the resolutions adopted by the defendant Board thereunder has been used as an instrument to balk attempts at desegregation and not as a means to accomplish desegregation. . . .
>
> Whatever its merits in the abstract, the Florida pupil assignment law has been and is being discriminatorily and unconstitutionally applied by the defendant Board as a means of effectively resisting desegregation of the defendant school system.

The Court made an identical finding in Tillman v. Board of Public Instruction of Volusia County,[12] saying that the pupil assignment

law as currently applied went so far as to "perpetuate and maintain racial segregation in the public schools."

Finally, in Manning, the Court ripped away the law-abiding masks being worn by the school officials and held that:[13]

> The basic fault inherent in the present application of the criteria of the pupil assignment law is that only after a Negro child has first been assigned to a segregated school, under the area attendance zone line now in force, is he permitted to seek reassignment. This is done under a rigidly restricted time schedule both as to initial application and as to complicated appeal procedure, assuming his improbable success in negotiating the booby trapped battery of educational, sociological and psychological tests.

This policy of "booby trapping" parents seems especially paradoxical in an area of the country in which it is the appointed task of teachers "to labor faithfully and earnestly for the advancement of pupils in their studies, deportment and morals and to embrace every opportunity to inculcate by precept and example the principles of truth, honesty, patriotism and the practice of every Christian virtue."[14]

The educational picture in Florida is not all so discouraging. Some of the school districts that have desegregated have been making good progress in actually integrating their schools. For example in Broward County, 218 Negroes are attending mixed classes at Rock Island Elementary School, while 21 Negro students have been admitted to Boynton Junior High School in Palm Beach County.[15]

Dade County (Miami) is far and away the most forward looking and law abiding school district in the State. Integration began in the county in 1959. Each year, the program expanded slightly, but steadily. By 1962, quite a few schools had been integrated. In that year, 88 more Negroes were assigned to the Allapattah Elementary School, and 77 more to Gladeview Elementary School.[16] In March, the Advisory Committee conducted a public meeting in Miami. At that meeting Miami's School Superintendent was challenged by Reverend Theodore Gibson, head of the Miami Branch of the NAACP, to make greater progress in desegregating the area's schools, especially in view of the fact that more was being done to integrate refugee Cuban children into the regular school system than Negro American children.

Then in the spring of 1963 there was a breakthrough, and giant steps were taken by the Dade County Board of Public Instruction. The Board integrated 14 more of the area's schools for the fall semester of 1963. This number includes six senior high schools, six junior high schools, and two elementary schools. Two of these are new institutions. After incorporating the announced changes into current statistics, Dade County will have a grand total of 32 integrated schools with 2,500 Negroes attending classes with white students.[17]

It is interesting to note that only part of this transition has resulted from assignments under the Pupil Placement Law,[18] which provides for initial action only by the pupil or his parents. Instead the School Board itself brought about the integration of six of these schools simply by transferring 340 of the pupils involved to schools closest to their homes. Thus, the anachronism of transporting Negro students past white schools to Negro schools on the "other side of town" has come to a halt in at least part of Dade County.

In June 1963, the School Board in Dade County released the following unanimous statement:[19]

> We do not believe we can teach democracy in our schools without demonstrating our belief in democracy in the way the schools are operated.
>
> All employees are hereby notified that they are expected to teach or work with other employees, to teach pupils, and to supervise or be supervised in their work by other employees without regard for the creed or color of any individual.
>
> This is an integrated school system and should be understood as such by all persons connected with it.
>
> It is also the policy of this Board that all positions are open to all applicants regardless of creed or color and every effort will be made to secure the best qualified person for every vacancy.

Technical and vocational schools in the Greater Miami area are likewise open to all persons, regardless of race. Nevertheless, Negroes continue to utilize the two traditionally Negro oriented centers and do not attend the six "white" schools. The consequence is that Negroes are not receiving the same technical training,

although it is available. The blame for this situation cannot be directed to any single group.

Similar breakthroughs have not been made, however, in some institutions of higher learning. Since 1957, Florida has undertaken an expensive and far-reaching junior college program. Some 29 of these 2-year colleges have been established in or near important population areas to provide higher education within a 30-mile radius from the homes of 99 percent of Florida's citizens. Yet, despite the Brown decision, and despite the cost of duplicating facilities, Florida's school officials have created a completely segregated junior college system.

As late as 1960 (although not in 1962), the biennial report of the State School Superintendent even designated which of these schools were for white and which were for Negroes. Thus:

Designated White Junior Colleges	1962 Fall Enrollment
Brevard Junior College	2,396
Central Florida Junior College	1,126
Chipola Junior College	928
Dade County Junior College	6,138
Daytona Beach Junior College	3,965
Edison Junior College	603
Gulf Coast Junior College	722
Indian River Junior College	702
Junior College of Broward	1,961
Lake City Junior College	879
Lake Sumter Junior College	366
Manatee Junior College	1,683
North Florida Junior College	422
Palm Beach Junior College	2,703
Pensacola Junior College	2,985
St. Johns River Junior College	709
St. Petersburg Junior College	5,022
Total white enrollment	33,310
Average number of pupils per white junior college	1,960

Designated Negro Junior Colleges	1962 Fall Enrollment
Carver Junior College	147
Collier-Blocker Junior College	88
Gibbs Junior College	643
Hampton Junior College	370
Jackson Junior College	68
Johnson Junior College	225
Lincoln Junior College	97
Roosevelt Junior College	231
Rosenwald Community Junior College	79
Suwannee River Junior College	173
Volusia County Community Junior College	2,586
Washington Junior College	193
Total Negro enrollment	4,900
Average number of pupils per Negro junior college	408

Negro junior colleges are too small to be run economically. The cost of operating these colleges is in excess of $1 million per annum, exclusive of capital outlay. They have a per pupil cost that is double or triple the per pupil cost in the neighboring white junior colleges. It would require little effort to consolidate the white and Negro junior colleges in the same vicinity, and would result in substantial savings. For instance, when this happened in Dade County, the savings in the first year were in excess of $75,000.

With two exceptions, the plant facilities of Negro junior colleges are inferior to those of neighboring white institutions. In only one of the Negro junior colleges, Volusia County Junior College, are courses in technical education available. The shop at Volusia, however, duplicates at great cost a shop a short distance away at the white Daytona Beach Junior College. M.S. Thomas, Director of the Vocational Technical Institute at Florida A & M University, stated that none of the following courses are available either in Negro junior colleges or in vocational schools: aircraft mechanic, aviation mechanic, architectural technology, commercial and advertising art, dental mechanic, electronic mechanic, electric motor and generator mechanic, firefighting, hotel housekeeping, industrial electricity, industrial electronics, law enforcement, massage, mechanical design technology, optical mechanic, railroad telegraphy and station agency work, radio communication, television

studio production, watchmaking, and welding.[20] Courses in Negro schools are limited in scope "to those occupations in which they /Negroes/ have been traditionally employed"[21]--for example: auto body repair, barbering, bricklaying, carpentry, cosmetology, dry cleaning, painting, practical nursing, and tailoring. The effect of this lack of technical training for the Negro is to leave him unprepared to take advantage of the new job opportunities presented by Florida's expanding, modern industries.

The Advisory Committee directed a letter of inquiry to the 12 Negro junior college presidents, asking them to justify, if they could, the continued existence of the separate Negro colleges. Only 4 of the 12 responded to the letter. One answered, only to decline comment; another maintained that his particular college (Volusia County) was equivalent to the nearby white school. The remaining two college presidents stated that a merger of the white and Negro colleges could easily be effected.

A number of Florida's white junior colleges have recently been desegregated by the individual initiative of students. This occurred at Daytona Beach Junior College, Manatee Junior College, Junior College of Broward County, Palm Beach Junior College, and St. Petersburg Junior College. In most cases, however, only token integration was achieved.

In addition to the junior colleges which have been desegregated, Florida State University, the University of Florida, and the University of South Florida have been integrated. Barry College, Florida Presbyterian College, Stetson University, and the University of Miami are private institutions which now accept Negro students.[22]

The creation of a law school at Florida A & M University illustrates the extreme to which Florida will go to preserve segregated education. In 1950, faced with the probability that a Negro would secure entrance to the then all-white University of Florida Law School, the State authorized the construction of a law school at the all-Negro Florida A & M University. A school was built at the cost of $360,000. It began operation in 1951 with a full staff, a dean and a library. In the nine graduations between 1954 and 1962, the school awarded 32 law degrees. Only 16 of its graduates have taken the State Bar Examination, and just 5 have passed it. Despite this poor record of achievement, the Law School's present budget for instructional salaries alone is in excess of $60,000. This amount does not include plant maintenance and repair, auxiliary services, and insurance among other costs.

At present the school has only 16 students in attendance. The cost per student is not less than $4,000 to $5,000 per year, which is roughly estimated at 3 times the cost of educating a law student at the University of Florida Law School.

Since the construction of the A & M University Law School, the University of Florida Law School has been integrated. However, the benefits offered by this achievement are undercut by the scarcity of qualified Negro applicants, caused by the inadequacy of Negro preparatory educational facilities.

To some extent, the inferiority of Negro education in modern Florida is still the result of the conditions that prevailed in the State's Negro schools less than 30 years ago, in an era when many of today's Negro teachers were trained. These conditions, as they existed in the Negro schools of Alachua County, an average Florida community in that period, have been described as follows:[23] The Negroes of that county were taught in one and two-teacher schools, some of them in churches, others in sawmill or turpentine camp homes. Textbooks,[24] blackboards, heating systems, desks, water, sanitary facilities, and, most important, qualified teachers were all scarce. Only 13 of the 109 Negro teachers in the county were college graduates of a poorly endowed local Negro college; 17 came from "normal schools"; 66 were high school graduates; and 13 had less than high school experience. The average annual salary of these teachers was $237.

Since the 1954 Supreme Court decision, conditions have changed radically. Even in advance of it, some Negro schools were being upgraded by the more conscientious school boards. One and two-room school houses for Negroes gradually gave place to consolidated, well-constructed buildings. Some Negro teachers have been returning to college in the summer months to obtain the degrees they lacked, many of them continuing their self-improvement to the level of a master's degree.

On the whole Negroes have been slow to enter the schools that have been desegregated. Fear plays a part in their hesitation, since assertions of civil rights by Negroes are frequently looked upon with disfavor in this race-conscious State.[25] In addition, years of submission, economic dependence, and lack of education as well as of leadership have combined to prevent any large exodus to the promised land of the white school once the doors have been pried open by order of the court. Ironically, none of these deterrents to improved education can be eliminated until the Negro

acquires a better education. More specifically, until Negroes are more adequately prepared in their secondary school years for graduate education and training or for skilled employment, few will be employed in higher salaried positions, even if employment discrimination is eliminated. Virtually every private employer who told the Committee that he wanted to hire Negroes complained that he found Negro education to be deficient. For example, in Jacksonville, one holder of a Federal contract commented to the Committee that he could not employ Negro students as clerks or typists, because they could not meet his firm's requirements.

The needed breakthrough in Negro education depends on leadership from public officials. Yet up to the present, Florida's school officials and legislators have generally directed their efforts in the opposite direction, even though their strenuous attempts to maintain a segregated system of education in defiance of the law of the land have cost the State millions of dollars. The persons charged with the administration of Florida's school system know how wasteful segregation is.[26] It is apparent to most observers that the segregated junior college program, for instance, must be based on race prejudice rather than on intelligent planning. Paradoxically, the Florida public has accepted such desegregation as has occurred with considerable grace. In fact, it is almost certain that complete integration could be accomplished successfully in Florida if it were not for the actions of some school officials who feel a self-imposed obligation to enforce old patterns of segregation. Even more important, though, than the money these officials have cost the State, are the young lives that have been wasted. As a result of their official attitudes and practices, the State of Florida and the Nation have been deprived of the trained and educated men and women so desparately needed in this decade.

NOTES: Chapter 2, EDUCATION

1. From the biennial report of the Superintendent of Public Instruction for the year ending June 1962.

2. U.S. Census of Population: 1960, Florida, General Social and Economic Characteristics, PC(1) - 11C, table 47.

3. Quoted from Manning v. Board of Public Instruction of Hillsborough County——F.Supp.——(Aug. 31, 1962), 7 Race Rel. L. Rep. 681, 685 (1962).

4. The Florida constitution, art. 12, sec. 12 (1885).

5. Brown v. Board of Education of Topeka, 349 US 294 (1955).

6. Southern School News, Dec. 1962, p. 1.

7. Miami Herald, May 4, 1963.

8. Fla. Stat. sec. 230.232.

9. Ibid.

10. ——F.Supp.——(Aug. 21, 1962), 7 Race Rel. L. Rep. 675 (1962). See also Augustus v. Board of Public Instruction of Escambia County, 306 F. 2d 862 (July 24, 1962). But cf. "Dade School Board Underlines Its Racial Integration Policy," Miami Herald, June 6, 1963, sec. C, p. 3.

11. See note 3 supra.

12. ——F.Supp.——(Aug. 21, 1962), 7 Race Rel. L. Rep. 675 (1962).

13. Manning, note 3 supra.

14. Fla. Stat. sec. 231.09(3).

15. Southern School News, Oct. 1962, p. 16.

16. Southern School News, July 1962, p. 14.

17. Miami Herald, May 23, 1963.

18. For full discussion of the Pupil Placement Law, see pp. 3-5 supra.

19. Miami Herald, June 6, 1963.

20. State Department of Education, Directory of Schools and Classes, 1963-64, Division of Vocational and Adult Education, Bulletin 78-C-4 (Jan. 1963).

21. From a report given by M.S. Thomas, Director of the Vocational and Technical Institute at Florida A & M University.

22. The information in this paragraph is based upon a report of the Southern Regional Council, No. L-23B, revised Feb. 13, 1963.

23. The following information is taken from a booklet by D.E. Williams, State Agent for Negro Schools (published in 1963).

24. It should be noted that surveys of Negro schools in the 1960's show that there is still a lack of proper textbooks and guidance personnel for their students.

25. See Graham v. Florida Legislative Investigation Committee, 126 So. 2d 133 (Dec. 19, 1960) for a supporting expression of this sentiment.

26. For an example of legislative awareness of this finding, see "That Embarrassing Question," St. Petersburg Times, Apr. 27, 1963, sec. A, p. 8.

3. Apprenticeship Training Programs

Among the 1,000 persons engaged in apprenticeship training in Dade County, Florida, there is not a single Negro. This revealing fact was brought to light as a result of a series of interviews conducted in Miami by the Subcommittee on Apprenticeship Training Programs of the Florida Advisory Committee, during the spring of 1963. The eight members of the subcommittee, in an effort to discover the extent of discrimination present in these various programs, discussed the problem with representatives of such trades as carpentry, painting and decorating, sheetmetal work, electrical work, and plumbing. A spokesman from the Bureau of Apprenticeship and Training of the United States Department of Labor as well as a representative from the Dade County Board of Public Instruction also were interviewed.

Florida's apprenticeship training program was established under Public Law 308 of the 75th Congress and Chapter 446 of the Florida Code. The program was intended by its formulators to support voluntary efforts by labor and management to teach qualified applicants specific trades. As of June 30, 1963, the Bureau of Apprenticeship and Training reported that there were 4,366 apprentices registered in Florida.[1] To become accredited journeymen these trainees spend 144 hours a year in classwork instruction offered by the County Board of Public Instruction in addition to on-the-job training.

The organization of Florida's apprenticeship training program is relatively simple. A Florida Apprenticeship Council supervises the overall apprenticeship training program for the State. Under the Council are various joint apprenticeship committees, one for each craft, made up of three employers and three union representatives. These local committees make the actual selections of apprentices and work with the Florida Apprenticeship Council in setting the requirements for admission into their specific training program. In most instances, these requirements are an aptitude screening by the Florida State Employment Service, a good character, and a job. In some situations a high school diploma is required. The local committees, in conjunction with the Council, also establish the pay for apprentices, which is usually above the minimum wage. The administration of the State's total apprenticeship training program is supervised by the Florida Apprenticeship Council

with staff assistance from the Bureau of Apprenticeship and Training of the United States Department of Labor. These Federal employees work with the State county agents in an advisory capacity. W.P. Huffstetler, Miami Area Supervisor, is the Federal apprenticeship representative in the Miami area.

Discrimination against Negroes in Florida's apprenticeship training programs is not overt. The Florida Apprenticeship Agreement does not have a "race clause," which would act to preclude Negroes from applying for membership in any of the joint committees. Huffstetler reported to the subcommittee that, while he personally had heard accusations of discrimination, he later found them to be baseless, or based on matters other than race, creed, or ethnic background. Individual representatives of the different trades asserted, moreover, that the reason there were no Negroes in the area's training programs was that none had ever applied for membership, adding that "if qualified, Negro applicants would be accepted and trained."[2] Inadequate preparation and depression in some of the industries were cited by the witnesses as additional explanations of why there are no Negro apprentices in Dade County.

Further questioning of these same witnesses, however, led the subcommittee to suspect conditions of racial inequity in the State's apprenticeship program. There seemed to be an unspoken understanding among those interviewed by the subcommittee that Negroes were not expected to apply for the respective training programs, and would not be included if they sought membership.

For instance, Robert G. Curry, director of the Miami Electricians Joint Apprenticeship Committee gave two explanations for the absence of Negroes among the 165 young men in his training program. "Negroes are not interested in hazardous work," he said, and they "lack the technical understanding of electricity." James G. Washington, chairman of the Plumbing Joint Apprenticeship Committee, alluded to the fact that Negro apprentices in his trade would not be welcome because of the "close physical association required for instruction," an association he described as being like a "father-son relationship." A plumbing contractor blamed the failure of Negroes to penetrate the plumbing industry on a racial character defect, which made "few /Negroes/ willing to pioneer" and "persevere" in gaining admission to the trade, as well as on their inferior academic preparation.

More concrete proof that there is discrimination in the State's apprenticeship training programs is the visible presence

of such bias in the policies of the Board of Public Instruction, and in the membership and job assignments of labor unions in the Miami area. Both these institutions are so integrally related to apprenticeship training that discrimination in the one signifies similar behavior in the other.

The Dade County Board of Public Instruction teaches the apprentices, who are sent to it for instruction related to their trade by the joint apprenticeship committees. Since there are no Negroes presently receiving instruction from the Board, the conclusion must be drawn that this is so because none are being sent by the joint committees. Assistant Superintendent Lowell B. Selby, a member of the Board, said that if a Negro applied to participate in the Board's program, he would not be included in the present Joint Apprenticeship Committee classes. Selby added, however, that he would be perfectly willing to set up a class for such applicants if a sufficent number of students, 15 to be exact, applied--the implication being that these Negro students would be taught in segregated classes.

Belonging to a trade union gives a worker not only a guaranteed wage level but also a sense of identification with a standard of proficiency. Evident discrimination in Florida's trade unions deprives Negroes of these benefits. Further, since apprenticeship training programs are sponsored by unions, it is not unreasonable to assume that the policies that prevail in these programs reflect race consciousness on the part of the unions involved. For example, among 700 union members in the Miami Sheetmetal Workers Local, there is not one Negro; nor is there a single Negro apprentice among the 75 trainees in the union's program.[3] Anton Rhuby, chairman of the Miami Painting and Decorating Joint Apprenticeship Committee, reported to the subcommittee that work patterns in his trade had all been integrated successfully, but that new construction jobs and large projects were still for white carpenters only. Further, among the 28 apprentices in the Painters Union there are no Negroes. The plight of Negro electricians is part of the same story. While at present, there are 2 Negro electricians in Miami, and there have been, all told, 11 Negro journeymen in Local 349, they are dealt with separately by R.T. Callahan, Business Agent of Electrician's Local Union 349.

The Carpenters Union reflects this pattern of discrimination more graphically than any of the other labor organizations. There are 5,500 union carpenters in Dade County. Negro carpenters have a separate union, Local Union 1834. Under a "gentleman's agreement"

white carpenters work in white areas and Negro carpenters in colored sections of the county. Negroes are "furloughed" when there is a white construction project. However, due to a depression in the building industry, Negroes are sometimes furloughed on Negro projects. For instance, there was only one Negro carpenter working on the construction of an all-Negro school at the time of the subcommittee's inquiry. Sixty-two members of Local 1834 joined the District Council, in 1954, with the hope of obtaining employment. They have yet to be called by the Council--exclusion of the Local's members being apparent to all. Furthermore, the Local's business agent, H.E. Lewis, who is paid to represent Local 1834, automatically refers all Negro artisans, whether they are carpenters or not, to the all-Negro Carpenters Union.

An example of the frustration faced by Negro skilled job applicants is presented by the story of Robert Lee Smith, who had been a jet engine specialist with the Army, and has been applying for employment with Eastern Airlines as an aviation mechanic every 6 or 8 months since his discharge from the Army in 1956. He reported to the subcommittee that he had also sought guidance from the Florida State Employment Service with no success.

Shedrick Gilbert, a postal employee in Miami, had a similar story to tell. Mr. Gilbert holds a degree in Industrial Education from Hampton Institute in Virginia. He has been trained to teach plumbing and heating skills. He took the Miami examination for plumbers five or six times and failed it each time. He believes that the examiners were able to single out his paper, even though his work was identified only by a number. Mr. Gilbert eventually took and passed the Miami and Miami Beach Civil Service examinations. He is now first on the Miami Beach list of qualified job applicants. However, to date, he has not gone beyond the required interview for future employment and has yet to receive a job offer.

NOTES: Chapter 3, APPRENTICESHIP TRAINING PROGRAMS

1. The 1960 census, however, recorded only 2,259 apprentices in such training programs in Florida, 103 of whom were Negro. (See U.S. Census of Population: 1960, Florida, PC(1) - 11D, table 122.) The discrepancy in these two sets of figures is due to the fact that all persons who are apprentices do not necessarily declare themselves as such to the census takers.

2. Statement by James McKie, chairman of Miami Carpenters' Joint Apprenticeship Committee.

3. One nonunion shop employs Negroes; its policy is that it will accept a qualified Negro if he seeks admission to the shop.

4. Employment

The problem of Negro employment in Florida is twofold. On the one hand, racial discrimination by employers tends to curtail the number of Negroes in skilled occupations. On the other hand, lack of adequate preparation by Negro job-seekers frequently compels employers to reject them in favor of their more skilled and qualified white counterparts. This section of the report will examine employment practices in three areas: government contractors, public employment, and private employment.

GOVERNMENT CONTRACTORS--ONLY THE SKILLED NEED APPLY

The Southern Regional Council's important document, "The Federal Executive and Civil Rights," published in January 1961, reported widespread failure of the Federal Government's efforts to arrest discrimination in employment. This document contained the following passage:

> The Government Contract Committee and its predecessor seem to have accomplished little to arrest discrimination in employment . . . the present posture of the government is intolerable. Every government contract and many subcontracts contain an antidiscrimination clause, the text of which is posted in suppliers' shops and offices. The clause is, in effect, an oath. It has become another of the nonenforced declarations of principle and policy. We think there is real danger to public morals in this practice. The people need to know that the government takes its words seriously. For the government to lay down laws and orders which it does not intend, or is not prepared, to enforce is a practice which encourages social and individual indifference.

The findings of the Florida Advisory Committee indicate a different picture in the State of Florida. The situation, as it has been presented in the Committee's various public meetings, is far from being completely satisfactory. But the problem seems to the Committee to be not so much the policies and attitudes of the contractors as the lack of properly qualified Negro applicants for the highly skilled jobs that are available. Behind this lack

of adequately prepared applicants lies the failure of the State's educational system.[1] Behind that failure is the whole story of prejudice and discrimination that has plagued Negro citizens in their struggle for full citizenship and equality of opportunity in Florida.

The larger firms in Florida that do business with the National Government have only a minimum number of unskilled jobs available. Moreover, the proportion of these seems to be declining. The great need is for engineers and technicians, especially in electronics. These positions, however, are obviously open only to those with space-age training and skills. The Committee repeatedly heard representatives of these corporations make the point that in Florida there is an acute shortage of properly trained applicants, whether white or colored, and that accordingly much of their recruiting has to be done outside of the State.

A representative of Martin Marietta Corporation in Orlando, the largest private employer in Florida, with a payroll of over 10,000, stated the problem in this way:

> It must be recognized that in Florida the labor market provides only limited numbers of applications with the proper technical and professional skills due to lack of specialized education and applicable industrial experience. Since we have only a minimum number of unskilled jobs we experience difficulty in obtaining qualified applicants from within the local area.

Sperry Rand's spokesman made an even stronger statement on the impossibility of finding people in Florida, regardless of color, to fill the openings that are available:

> Since we moved our division to Florida, we have found it extremely difficult to obtain people . . . . My need is so great that not only because of our belief in /the/ equal opportunity policies of the company, but because of our need, I will take physicists, microwave engineers and antennae engineers whether they be dark, light, or pink. I'll be glad to steal them from any company in the area if I can get my hands on them.

Spokesmen from a number of other government contractor firms made similar statements, all emphasizing their need for more qualified candidates than are presently available in Florida.

Tending to corroborate these statements was the fact that the Committee received no complaints of employment discrimination by Government contractors. Furthermore, the Committee was impressed with the role played by such leading contractors as Minneapolis Honeywell and Sperry Rand in initiating efforts to upgrade and increase training opportunities available to Negroes. In 1963, Minneapolis Honeywell representatives testified that their company had arranged for faculty members from Florida A & M at Tallahassee to come to their St. Petersburg plant to study the company's products and production methods, so that courses could be included in the college's curriculum which would properly qualify students for employment by that company. Sperry Rand's representative told of his company's efforts to cooperate with the schools, especially Negro schools.

> We have stepped out of our role as an industry, recognizing our responsibility to the community, and have gotten into the field of education. Because of our speciality, which is microwave, we found many of the schools . . . teaching courses which were not comparable to our needs. Many of our employees have served on advisory committees to reorient the curriculum of the various schools in the area so the graduates would be better prepared for our jobs. I have personally visited the Negro schools in Tampa and conducted career days, bringing with me representatives of the company who best could describe the preparation needed to enter some of these attractive fields, but have found that the schools had been teaching courses which are about 10 to 15 years behind modern electronics. I have found that there is a complete misunderstanding of the field of electronics, that in some cases they are preparing youngsters to become electricians. Those of us in the field know there is a big difference between an electrician and an electronics technician.

This same representative said his firm had offered to assist the Negro junior college in Tampa and other schools in the Tampa-St. Petersburg area in the upgrading of their courses and invited school officials to visit the plant to see what the requirements are. None of the colored schools responded. These schools, he said, are still teaching a so-called electronics course that was criticized by Sperry Rand 2 or 3 years ago as being wholly inadequate.

Sperry Rand, according to this same spokesman, after extensive correspondence and personal visits to Negro schools, managed to find two colored engineers interested enough to visit the plant for interviews at the company's expense. The company made a written offer to one of these men, but received no reply.

The representatives of Martin Marietta, Sperry Rand, Minneapolis Honeywell, and other companies, all stated that they had actively sought applicants at Florida A & M as well as at Negro schools outside the State, such as Howard University in Washington, D.C. They were even compelled to advertise nationally for needed recruits, since they had not been able to come anywhere near filling their needs locally.

The contractors interviewed by the Florida Advisory Committee were unanimous in claiming that all their job openings at every level are available to properly qualified applicants regardless of race. The Committee did not hear these claims disputed by Negro citizens. No statistics on Negro employment were given. Most of those questioned said they did not keep records according to race. But when questioned about Negro employees, most of the contractors were able to be specific enough to indicate compliance with their nondiscrimination agreements with the government. Further, most of the contractor-employers told the Committee that cafeterias, drinking fountains, and all other employee facilities are available on an integrated basis.

WHY DON'T MORE NEGROES APPLY?

In spite of the enlightened thinking of Government contractors, the picture that emerges in Florida is a sad one. Ironically, the demand for skilled Negro labor is high, but because of the past failures of the educational system and various other economic, social, and cultural conditions Negroes have been prevented from becoming qualified in significant numbers for the really splendid opportunities that are now open to them.

The situation in Florida, as far as Government contractor employment is concerned appears to be one of opportunity that is not being grasped. While the influx of space-age businesses and industries into Florida in the last decade has presented Negro youth with many excellent job opportunities, it is equally as true that these jobs are for the skilled only. The Negro community must become more alert to these opportunities, and school officials

must improve the training they offer. Furthermore, some of the best jobs are reserved for those who earn graduate degrees. Companies like Martin Marietta, which employ a small army of men with Ph.D. and M.S. degrees, sincerely want to pursue nondiscriminatory employment policies.

The Committee realizes, however, that blame for the failure of Negroes to take advantage of these opportunities cannot be placed solely on what may appear to be apathy on their part. Among many southern Negroes, there is frequently an ingrained fear of "stepping out of place" by breaking the man-made barriers that have so long confined them to the bottom of the socioeconomic ladder. Resentment of "uppity" Negroes is still a factor in some parts of Florida, and reprisals against those who do not meekly play the role that southern society has traditionally assigned to them are still within the realm of possibility.

By the same token, non-southern Negroes are usually unwilling to subject themselves and their families to racist mores and traditions. It is difficult to lure Negro engineers and scientist to Florida, regardless of how enticing the employment opportunities may be. There are cases on record of Negro engineers who have come to this State ready to accept offers of employment, only to reject these offers and leave immediately upon discovering Florida's segregated pattern of living. In Daytona Beach, for example, a prospective employee of General Electric recently refused to accept a position because he found he could not buy a house on the peninsula, the area being completely closed to Negroes. The only place he could have purchased a home was on "the other side of the tracks." He did not want to downgrade his children by bringing them up in a deprived neighborhood.

In all parts of the State, refined, well-educated, and reasonably prosperous Negro educators and businessmen are barred from living in the pleasant surroundings that their white counterparts enjoy as a matter of course. These people even find it difficult to communicate with their peer group in the white community. In some instances, liberal whites defy the community "standards" and invite Negroes to their homes. But those whites who prefer apartment or other rental living dare not do so for fear of expulsion. No white minister or businessman would dare to invite a Negro friend to be his guest at a service club luncheon, nor would the chairman of any such club have the audacity to slate a Negro leader to speak on the problems of the Negroes.

Government contractors in Florida are on the whole sincerely trying to abide by the requirement that they afford equal employment opportunities to all. Their efforts are hamstrung, however, by the State's failure to provide adequate educational opportunities for its Negro citizens.

PUBLIC EMPLOYMENT--MUNICIPAL, COUNTY, AND STATE AGENCIES

Public employment at any one of the above three levels of government presents a radically different picture from that in the area of government contractors. Job discrimination exists in this type of employment despite the prevalence of civil service boards. Here, alleged lack of skill becomes an excuse offered by racially conscious official employers, who wish to continue their "for white only" policies.

On the municipal and county levels, the only prestige jobs available for Negroes with a fair degree of training are teaching and serving on the police force--both of these on a segregated basis. The Committee found no Negroes working in Florida city halls or courthouses as secretaries, stenographers, typists, or file clerks. Several months ago, a Negro woman served for a brief period as a secretary in the Tampa Police Department. A city official said that she had qualified for her job through civil service. The official noted that, while there was a flurry of resentment on the part of white workers at the start, it soon disappeared, and officers were competing for her services because of her capabilities. She left the position voluntarily, he said, and was replaced by a white worker.

Most city officials told the Committee that Negroes either have not applied for municipal employment above the menial level, or that they knew of none who was qualified. The majority of the officials contended that they have no personal prejudices against the Negro race. Yet they exhibited, almost universally, the attitude that they have no responsibility toward assisting the race to advance by means of the job opportunities they have to offer.

Some of these municipal officials went so far as to display deep-seated prejudices. For example, Arthur W. Newell, Clerk of the Circuit Court of Orange County (Orlando), refused to attend the Committee's meeting in that county in October 1962, although he did reply to the Committee's letter of inquiry. The following are excerpts from that letter and from Mr. Newell's answers:

Drivers (front row) and Garbage Handlers of the Miami Sanitation Department
(Photograph taken in the spring of 1963)

Q. As a government official, would you give everyone a fair break?

A. Everyone who is entitled to a break, especially my present employees who are all white.

Q. Do you obey the laws?

A. I obey all laws I have any respect for.

Q. Do you hire competent people for all jobs without regard to race?

A. No, and I never will.

Q. Will you attend a meeting of the Florida Advisory Committee in your area?

A. I would not condescend to attend such a meeting.

Many Florida cities hire Negroes as policemen, but the Committee found in each case that the Negro patrolmen are not granted the full police power that the white officers have. Thus, Negro patrolmen are assigned to Negro areas, and precluded in some cities from arresting white offenders even in that area. In other cities, they may make an arrest, but must then summon a white officer to take the offender to jail.

Jacksonville, Florida's "Gateway City," employs no Negroes above the level of maids or janitors in its municipal agencies. Substandard Negro homes account for a large percentage of residential fires in the State. Yet none of the cities the Committee visited employs Negroes as firemen.

The extent of racial discrimination in public employment in Florida could not be more graphically illustrated that by the picture on the opposite page. It shows the employees of Miami's Sanitation Department, who are responsible for the city's garbage disposal. The employees in the front row, wearing white shirts, are drivers; the others are garbage handlers.

At the State level, the picture is equally discouraging. The Committee sent questionnaires to 114 State agencies, seeking information on hiring practices in the job categories listed in

the United States Census of Population: 1960.[2] Eighty-eight of these agencies responded--the same number to reply to a similar survey undertaken by the Florida Legislative Reference Bureau in July 1962.[3] These 88 responding agencies account for 27,670 State employees. Of that number, 4,231 are Negroes--less than 16 percent of the total number--3,393 of whom serve in "blue collar" capacities. The rest, with a few exceptions, serve their own race in segregated situations.

Perhaps the most blatant example of State discrimination in employment practices is the Florida Development Commission. This agency wields more power than any other in the State government due to its autonomous position.[4] In its hiring policies, the Development Commission stands out as being completely discriminatory. This agency has 296 employees, only 4 of whom are Negroes --2 of these 4 are service workers and the remaining 2 are "operatives."

The Barbers' Sanitary Commission together with the State Board of Beauty Culture also evidence discrimination. Florida has many Negro barber and beauty shops. The State, however, employs only white inspectors for both white and Negro barber and beauty shops. Furthermore, the State spends its revenue to support segregated educational institutions to teach Negroes the skills of barbering and beauty culture.

Other State agencies, in addition to the aforementioned, that do not employ Negroes in any capacity are: the Florida Highway Patrol, the Florida Sheriffs Bureau, Central and Southern Flood Control District, Crippled Children's Commission, Merit System, Florida Board of Nursing, Sunland Training Center at Marianna (Northwest Florida), Florida Atlantic University (not yet opened), Purchasing Commission, Inter-American Center Authority, Office of the Director of Civil Defense, and the Fire College.

The Florida Highway Patrol adheres to a rigid "white only" policy. When Alphonso Dowdell of Perry, a Negro, recently inquired about the possibility of employment there, he received the following reply from H.N. Kirkland, Director of Public Service:

> In reference to your letter to Governor Bryant with regards to employment with the Florida Highway Patrol, this is to advise you that when we are in a position to consider colored applicants, you will be given an opportunity to take the preliminary examination and tests consisting of physical, aptitude, education, etc.

Unfortunately, the Committee's survey revealed that this attitude is not unusual.

At the other extreme, Negroes are hired in large numbers to serve their own race in the higher salaried technical and professional positions. For instance at the all-Negro Florida A & M University, there are 292 Negroes employed in this category. One hundred and three Negroes are working at the segregated Sunland Training Center at Orlando (a hospital for retarded children), and 38 are engaged in the extension department of the University of Florida dealing with segregated Negro education (3,370 whites are employed in this category by the agency). The State Health Board employs 33 Negroes to work in segregated facilities, and 74 Negro professionals and technicians are employed by the Welfare Department, which is segregated. The segregated correctional institutions and child training centers report hiring a few Negro clerks and typists.

The Committee's survey revealed only 12 exceptions to the general exclusion of Negroes from managerial positions. It should be noted, however, that 5 of these 12 State employees are on the staff of the Sunland Training Center at Gainesville, a segregated institution for retarded children, and the remaining 7 are in supervisory positions in the Welfare Department, where they deal with Negroes only.

Not every agency, however, follows this segregated pattern of employment. For example, at Florida State University in Tallahassee 30 of the 961 clerical workers are Negroes.[5] This more enlightened State educational institution has a better nondiscrimination record than the older and larger University of Florida in Gainesville, where only 5 of the 1,409 clerical employees are Negro. Secretary of State Tom Adams reported to the Committee that he has 1 Negro in a staff of 16, while the Bureau of Veterans Affairs has 1 on a staff of 22, and the Board of Beauty Culture had 3 on a staff of 16.

The high degree of job discrimination in State agencies is not too surprising in view of the extent of segregation that prevails in the State capital. In fact, the Committee found the atmosphere in Tallahassee less conducive to racial harmony and progress than in any of the other cities in which it conducted meetings.

THE TALLAHASSEE STORY

The atmosphere in Tallahassee does not promote the expression of any opinions that vary, however slightly, from established orthodoxy. This restricted intellectual climate is due in part to a committee of the legislature known as the Johns Committee which was established in 1955, primarily to investigate the National Association for the Advancement of Colored People. The Committee's harassment of the NAACP was finally halted by the U.S. Supreme Court in the Gibson case.[6] It had been checked previously by the Florida Supreme Court in the Graham case.[7] The Johns Committee's current inquiries deal mainly with alleged homosexuality at the universities, teaching methods, and textbook content.

The Tallahassee police force, which cooperates closely with the Johns Committee in its investigations, has dealt harshly with sit-in demonstrations at bus stations, the airport, and lunch counters throughout the city.

Generally, adult Tallahassee Negroes are afraid to participate in civil rights demonstrations, because so many of them are dependent on the State for their livelihood--particularly at Florida A & M University. Professors who tried to participate in the early student demonstrations were called in one by one by the university president and admonished for their actions. Pressure had been put on the president by the city to end teacher encouragement of these demonstrations. A professor from the university also told the Committee about the "wide schism between the town and gown," including Florida State University as well as the Negro college.[8]

Negroes in Tallahassee are constantly beset by segregation problems which do not "make the big courts." For example, the city's urban renewal program, designed to clean out the worst Negro slums in an area of the city called Smokey Hollow and replace them with decent homes, was scrapped in favor of an extension of the Capitol buildings by the State.

The Committee heard of numerous instances in which Negroes received inequitable treatment at the hands of State and local government in Tallahassee. In one case, a Negro high school girl received notice that she had been accepted as a page for the 1963 Session of the Legislature. When she went with her parents to claim the position, a legislative clerk rudely told her that there had been a mistake and tore up her invitation in front of her.

An A & M coed, wife of a law student there, told the Committee of her recent attempts to enter a downtown Tallahassee theater with two male Negro university students, after a white friend had bought tickets for them. The three students were barred by the manager. The police were called, and the students' tickets were forcibly taken from them and torn up. They were arrested on charges of "criminal trespass," with an added charge for the boys of resisting arrest. The girl told the Committee that her arm had been twisted by a policeman when he took her ticket from her. She went on to testify that she and the other Negro students were ordered out of the white section of the city courtroom, although it had been understood that the courtroom was supposed to have been desegregated by a "gentlemen's agreement."

In May 1963, hundreds of students from the college staged a march past the stately Capitol Building to the downtown area, singing and clapping their hands. A minor clash with angry whites was stopped by the police. Another march was staged the next night, with 250 Negroes going to jail after a theater owner obtained an injunction against their obstruction of his business. A circuit court judge later ruled, however, that the protests by the students were within the law as long as they were peaceful.

Near Tallahassee, Negroes are still forbidden to launch boats at the ramp in Killcarn Gardens, a State Park with a beautiful lake for water skiing and fishing. The Park's Negro patrons are told to go 80 miles away to a segregated Gulf facility or to be patient and wait until the city completes a Negro recreational center just 40 miles distant.

The explosiveness of the situation in the State's capital is clearly depicted by a Daytona Beach business man in the following exerpt from a letter he wrote to a member of the Advisory Committee: "I spent 4 days recently in Tallahassee, which is truly sitting on a powder keg. The State, Leon County and the city ought to move rapidly to pull out the fuse and dampen the powder before there is a disasterous blow-up."

PRIVATE EMPLOYMENT

Discrimination in private employment is widespread. Private employers persist in hiring Negroes as menial wage earners only. According to a survey of Miami made by Mrs. Ruth Perlmutter, dated May 1962, three out of four Negroes are working as unskilled

laborers, and about 15 percent of these workers are employed at levels below their skills and training.

Another factor in the employment gap in prosperous Miami discovered by the Committee was the discrepancy between the average weekly earnings of Miami Negroes--$76.80--as compared to $111.67 and $83.79 for Negroes in Houston and Atlanta respectively.

The Committee also learned of a widespread denial of licenses by cities and counties to Negroes in the areas of electricity, plumbing, and mechanics.[9] In some cities, such as Miami and Daytona Beach, licenses are granted Negroes to practice electrical work, but not plumbing, with the tacit understanding that licensed Negro electricians will work primarily in Negro neighborhoods.

Thus the employment picture that emerges in Florida 100 years after the Emancipation Proclamation is far from satisfactory. Although Government contractors are doing all that is in their power to provide employment opportunities for everyone, they are handicapped by a social, economic and political pattern designed to subordinate the Negro. Held back from decent employment by lack of preparation as well as by racial prejudice, the Negro is thus deprived of the earning power which might enable him to lift his children off the merry-go-round of inferiority.

NOTES: Chapter 4, EMPLOYMENT

1. See chapter 2 for discussion of Negro education.

2. The job categories listed by the census report are: service workers; laborers, operatives and kindred workers (includes apprentices and semiskilled workers such as drivers or furnacemen); craftsmen, foremen, and kindred workers; clerical and kindred workers; prefessional and kindred workers; and managers and officials.

3. Among State executives not responding to the Advisory Committee's survey were: Governor Bryant, other members of his cabinet (with the exception of Secretary of State Tom Adams and Attorney General Richard Ervin), the State Road Department, and Turnpike Authority, and various lesser agencies.

4. The Development Commission can pledge Florida tax money to pay off any indebtedness by the State and its counties, but does not have to make an accounting to the legislature of its fiscal policies.

5. The lack of discrimination in the Florida State University is surprising given its location in Tallahassee which displays the most pervasive and entrenched segregation among the State's urban centers. See p. 37 and "The Tallahassee Story," pp. 38-39.

6. Gibson v. Florida Legislative Investigation Committee, ——U.S.——, 9 L. ed. 2d 929, 83 Sup. Ct. - (March 1963).

7. Graham v. Florida Legislative Investigation Committee, 126 So. 2d 133 (Dec. 19, 1960).

8. See p. 37 supra, for statistics on Negro employment at Florida State University.

9. Tallahassee is one of the cities which was an exception to this general licensing policy. But cf. this lack of discrimination with the rest of the Tallahassee picture, "Tallahassee Story," supra, pp. 38-39.

5. Practices in Florida Health Facilities

Race is an important factor in the operation of health facilities in Florida. Discriminatory practices extend from medical personnel to hospital beds. For, while Negroes are not totally excluded from partaking in the benefits of medical care or of careers in medicine, their share in these benefits is disproportionate to their numbers.

ALACHUA COUNTY

The hospital and dental association practices of Alachua County, an average Florida community, were examined by a subcommittee of the Advisory Committee. The subcommittee reported that despite the substantial number of Negroes in Alachua (26 percent of the total population), there is only one Negro doctor and one Negro dentist. The subcommittee report further stated:

> There is little if any discrimination in health facilities and services of this county if by discrimination is meant "less than equal to" or "inferior services." Nonwhites have access to equal facilities with minor exceptions. If, however, segregation is itself "discrimination," as the Supreme Court held in the School Desegregation Cases, then there is discrimination in this county.

Specifically, the Alachua General Hospital limits Negro patients to rooms on one floor of the hospital. Of the 200 beds at this county-controlled hospital, 47 are reserved for Negro patients. The hospital does not keep records by race, so it is impossible to determine how many Negroes use the facilities. At the University of Florida Teaching Hospital patients are assigned to floors regardless of race, but multiple patient rooms are racially segregated. General waiting rooms, lobbies and the like are open to all. This is also true of waiting rooms for patients in private rooms, but doctors who take Negro patients have separate, marked entrances and waiting rooms.

The county dental association refused membership to the sole Negro dentist in the county, thus making it impossible for him to be a member of the American Dental Association. The county medical association has accepted the one Negro doctor into its membership.

Furthermore, the Committee discovered that the Negro doctor and dentist, as well as the 10 Negro registered nurses employed by the Alachua and University of Florida hospitals have separate but equal dining facilities at the hospitals. Yet both hospitals contend that they have no fixed racial policy. Furthermore, by "custom," the lone Negro doctor treats only Negro patients, though white doctors are not restricted as to whom they may treat.

The subcommittee report went on to show that only 3 of the 70 registered nurses at Alachua Hospital are Negro; while at the University of Florida Hospital, just 5 of the 127 are Negro. The University Hospital has 50 Negro practical nurses among its staff of 123 while Alachua General has 5 Negroes on its staff of 70 practical nurses. At both institutions, however, nonwhite nurses administer to patients without regard to race.

There are no Negroes among the 68 salaried faculty members at the University of Florida Teaching Hospital, and, at this time, no Negro students. One Negro student was admitted recently but, reflecting the inadequacy of Negro educational preparation, he was unable to keep up academically and withdrew.

The University of Florida Teaching Hospital receives Federal grants for patient care research although it receives no Hill-Burton funds. The hospital as well as the medical and nursing colleges associated with it is an integral part of the University of Florida under the University's administration. The reader should note that the University is governed by a Board of Control appointed by the Governor. It was the subcommittee's opinion that, given the State's control of the hospital and the racial policies of the majority of the State Administration, no Negroes, however qualified, would be employed as members of the faculty.

TALLAHASSEE AND MIAMI

There are two hospitals in Tallahassee, Tallahassee Memorial, a municipally operated institution, and the A & M University Hospital, a Negro institution. The city hospital was built with Hill-Burton funds. The city budgets $20,000 for its share of the support of the University Hospital, while expending $300,000 a year on Tallahassee Memorial.

Witnesses at the Advisory Committee's public meeting in Tallahassee reported that though no Negro has ever been treated

at Tallahassee Memorial, Negro residents of the city are forced to pay a 10 percent tax on electricity bills for the support of the hospital. A Negro doctor stated that he pays an average of $14 a month on his office and home electric bills for the support of the City Hospital, even though he could not enter that institution either as a patient or as a physician.

Nine out of the 23 hospitals that replied to a survey distributed to the 47 hospitals in Miami a year ago, stated that they did not accept Negro patients. Witnesses before the Advisory Committee in Miami reported that the only integrated facility in most Miami hospitals is the isolation ward. One administrator assured the Committee that there was no discrimination among his hospital's staff, even though a directive to his staff showed that dining and restroom facilities were assigned by race.

Reports from the more rural areas of the State suggest that segregation is even more rigid outside of Florida's larger cities.

Statistics indicate a wide disparity between the health conditions of Negro and white Floridians. For instance, in Alachua County, the mortality rate is 8.0 for whites and 11.2 for Negroes. Negroes also suffer disproportionately from tuberculosis, syphilis, hypertension accompanied by heart disease, pneumonia, and diseases of the intestinal tract. The subcommittee found that:

> The health of Negroes is adversely affected by poor housing, poor diet, and irresponsible behavior. These in turn are influenced by prejudice, segregation and low income status. Low income jobs and slum segregated housing plus inferior schooling cause greater health needs, with too few resources to meet these needs.

Finally, Florida's senior citizen population is one of the largest in the Nation. It is disturbing to note that this group, too, excludes Negroes from its associations, even though it consists largely of persons who, as non-southerners, are not steeped in the region's traditions, and even though Negro senior citizens have problems of greater magnitude than their white counterparts.

There can be no doubt that Florida's medical facilities are not fully integrated. A young Negro staff member of the Florida A & M University Hospital had this bitter comment to make about the situation:

The real repression of Negroes is not due to the actions of "poor whites," but to the attitudes of the educated group--the educated elite. I have told my doctor friends --yes, white doctors too--that there is something wrong with us as physicians as there is something wrong with us as Christians. We do nothing to heal the rift between the two groups of people--a rift that denies the one group their rights. We allow people in high places to set our attitudes, and permit segregation by doctors to be as bold as segregation by churches.

Conclusions and Recommendations

It is the opinion of the members of the Advisory Committee that the people of Florida are in tune with the nationwide determination to end second-class citizenship and to welcome Negroes into the mainstream of American life, but that State officials are too timid for existing sentiments. Indications are that most of the people believe that Negroes are entitled to their citizenship rights.

The most encouraging sign noted by the Committee in its survey of race relations in Florida was the speed with which the racial picture is changing. Commenting on this fact, George Lewis II, Chairman of the Advisory Committee, said, in regard to this report, "things are changing so fast that we are already out of date."

Even this fast rate of change threatens to be outstripped by the mounting urgency of Florida's racial problems. Furthermore, the continued economic welfare of Florida hinges on its ability to utilize fully the hitherto stagnant manpower offered by the Negro portion of its community. Even the tremendous influx of industry, business, and population that Florida is currently enjoying will not, in the long run, sustain the State's high level of prosperity unless the barriers to the development of the full potential of the State's 900,000 Negro citizens are removed. There must be some doubt, moreover, that modern industry will continue to consider Florida an ideal State for plant location in view of the State's acute shortage of skilled labor. A former southern Governor, Luther Hodges of North Carolina, who is now Secretary of Commerce, articulated these fears for Florida in his commencement address at Florida State University in Tallahassee on April 20, 1963:

> The South can never realize its full potentialities so long as a substantial portion of its population is functioning far below its capacities. We cannot maintain the employment traditions of a plantation economy and expect to be a leader or full participant in a highly technical national and international economy.

The Florida Advisory Committee derives its official standing from its relationship with the United States Commission on Civil Rights. Consequently, the formal recommendations which are listed below are addressed to the Commission and to the Federal Government.

1. Section 1938, U.S.C.A., Title 42 (the Civil Rights Act), which gives a cause of action to one deprived of a civil right under color of State law, should be amended to provide that a successful plaintiff be awarded reasonable attorneys' fees to be fixed by the judge.

> There are several reasons for this recommendation. In the first place, it is common knowledge that it is difficult for plaintiffs without financial resources to obtain legal assistance. Where community sentiment is not in sympathy with civil rights efforts, few, if any, local attorneys will accept civil rights cases. The prospect of a respectable fee, to be collected from the defendant at the successful conclusion of civil rights litigation, might constitute inducement sufficient to attract at least some local attorneys into this all-important area of the law. Furthermore, the involvement of local lawyers would eliminate the handicap of a hostile atmosphere against which civil rights lawyers who are brought in from the outside usually have to struggle. Finally, and most important, plaintiffs should be allowed to vindicate their right, no matter how nominal, without economic sacrifice. It is a simple matter of justice for the wrongdoers to pay for the expense of vindicating the victims' constitutional rights. Moreover, there are innumerable examples of Federal and State statutes requiring the allowance of attorneys' fees.

2. Congress should examine the expenditure of Federal funds for educational purposes in Florida, with a view to ascertaining whether such funds are used to sustain wasteful multiple school districts and a dual school system.

> In Florida there are 67 quasi-sovereign counties. Each has its own governmental budget for services including educational facilities, and each sets its own policies which may at times be in direct conflict with Constitutional guarantees. Under the guise of local control, the county units utilize Federal funds to perpetuate

segregation. In the interest of maintaining racial segregation, Florida counties provide a network of dual facilities that is both costly and unconstitutional. An indication of the economic waste involved is the cost, $35,000, to Volusia County for providing duplicate electronics courses in its segregated schools. The Federal funds that are wasted in this manner are urgently needed to provide Florida's undereducated Negro population with the education and skills that are essential in this technical age.

3. The Federal Government should insist on regional educational facilities for vocational and technical education in Florida.

There are several reasons for this recommendation. First, county administration of this type of education and training is too costly. Second, the vocational education system, as presently administered, is totally ineffective in the rural counties. Such counties may have no modern industry and therefore no direct interest in educating youngsters in electronics or other highly skilled fields. Yet, among its school-age population there may be students who are gifted in one of these fields and who would qualify for highly paid jobs if they could acquire the necessary technical education. If this education were provided on a regional basis, such untapped human resources could be reached. Finally, the whole purpose and strength of this Federal program of assistance is lost by being frittered away through 67 county governments.

4. The United States Commission on Civil Rights should file a strong protest against the use of Federal tax funds to finance State Employment Services that perpetuate unfair employment practices.

In the course of the Florida Committee's inquiry several instances were found in which the Florida State Employment Service practiced racial discrimination. Although the State Employment Service is wholly financed by the Federal Government, it consistently fails to take a lead in the elimination of employment discrimination. Rather, it seems to favor segregation and racial discrimination. It should be noted in this regard that officials of the State Employment Service displayed a

widespread reluctance to appear at the public meetings of the Florida Advisory Committee and to answer questions on job discrimination.

5. Responsibility for selection of those to receive vocational education must not be delegated to committees of employers and employees, and the procedural requirement of acquiring a job in order to qualify for entrance into the apprenticeship program should be eliminated. Public funds and official recognition should be withdrawn from the apprenticeship programs in Florida until the foregoing changes are made.

> Evidence of discrimination in apprenticeship training is a serious blight in any State's employment picture. It robs the State's trades of potentially skilled practitioners just because of their skin color. It was learned in the Committee's interviews that job opportunities are frequently determined not by the qualifications of the applicant, but by prejudice--of the customer paying for the job, of the community in which the work is being done, of the employer, and of the other workers. The chief evil of the present administration of the apprenticeship training programs is that their existence provides a pretense of equal opportunity for vocational education when, in fact, none exists. As it functions now, the apprenticeship program in Florida acts merely to perpetuate job discrimination and inequality in employment by depriving Negroes of the opportunity to acquire the necessary competence to practice a skilled trade. No State can continue to limit its skilled work force and expect to keep pace with the Nation's expanding economy.

Afterword

The Florida Committee is convinced that the urgency of the racial problem here and elsewhere is such that it will have to be solved in very short order. As Floridians, we hope that it will be solved at the State and local level by forceful and constructive action on the part of our State and local governments. We firmly believe that it is up to the State government to protect the rights and welfare of all Floridians. Yet we also realize that the Federal Government cannot escape its responsibility to protect the constitutionally guaranteed rights of all Americans. To the degree that State government abdicates its responsibility in this all-important area, Federal action becomes inevitable. We strongly believe that it would be in the best interest of our State if Tallahassee were to seize the civil rights initiative, and were to institute a determined drive to eliminate second-class citizenship in Florida. Such a drive could commence with the following actions:

1. A committee of the State Legislature should be formed to examine State employment practices, opportunities for Negroes in new and old industrial and commercial openings, and the extent and progress in opening State facilities on a nondiscriminatory basis.

2. School boards in each county should make critical appraisal of what they offer the Negro student and forthrightly move toward full compliance with the law of the land regarding school segregation.

3. All elements of the State's leadership should recognize the moral, political, and economic danger of the continued enforcement of segregation in all of its various forms, as well as the benefits to be derived if Negro citizens are finally welcomed into the mainstream of American life.

The Florida Advisory Committee believes that the implementation of its recommendations to the Federal Government and the acceptance of its suggestions to fellow Floridians would permit our State to develop its tremendous potential for leadership in the space age.

APPENDIX A

AMOS GODBY
SUPERINTENDENT

STATE OF FLORIDA
COUNTY OF LEON
BOARD OF PUBLIC INSTRUCTION
TALLAHASSEE

BOARD MEMBERS
W. T. MOORE, JR., CHAIRMAN
T. B. REVELL
J. D. JOHNSON
LOUIS HILL
ALLEN STILES, JR.

April 25, 1963

Dear Parent or Guardians:

This letter is being sent to advise you of the plan adopted by the Board of Public Instruction for the assignment of pupils in the Leon County School System beginning with the school year 1963-64.

In order to facilitate the fall opening of school, we have a procedure known as Spring Registration, which will be held this year during the school week of April 29 - May 3. At that time, a Pupil Assignment Card is completed at the school for each pupil enrolled.

While it is the function of the school administration to recommend assignments, a parent's preference of schools will be fairly considered. You are herewith advised that you are being afforded a reasonable and conscious opportunity to apply for admission to any school for which your child is eligible without regard to race or color and to have that choice fairly considered by the Board of Public Instruction. If you wish to exercise your right of preference, you must go to the school your child is attending during Spring Registration week and sign a reassignment form (Pa-3).

The Pupil Assignment Law provides for numerous criteria in the individual assignments of pupils, such as proximity to schools, transportation facilities, uniform testing, available facilities, scholastic aptitude, and numerous other factors, except race.

Should the Leon County Board of Public Instruction assign your child to a school other than the one you have requested, you will be notified by letter on or before May 31, 1963.

In that event, you have the right to request, in writing, an appearance before the Board of Public Instruction to have your preference further considered. Such request for hearing must be filed with the Superintendent of Public Instruction on or before June 10, 1963, in which event, you will be notified of the time and place of the hearing.

Application for reassignment may be made at any time when a change of residence address or other material change in circumstances arises.

Very truly yours,

Amos Godby

Amos Godby
Superintendent