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July
1965

SCHOOL DESEGREGATION
IN THE SOUTHERN AND BORDER STATES
JULY, 1965
COMPILED BY
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ALABAMA HIGHLIGHTS

The Alabama House of Representatives refused to allocate funds to schools losing federal aid because of failure to comply with the 1964 Civil Rights Act.

A federal judge issued a desegregation order for the Bessemer public schools, which have refused to make any compliance agreements under the 1964 Civil Rights Act. Another suit filed in July asks immediate desegregation of Fairfield schools.

Private schools are planned in three communities.

A Birmingham educator told a meeting of schoolmen that public schools have been used as a "proving ground" in the civil rights struggle. However, a panel of principals from desegregated systems agreed that advance planning is the key to orderly desegregation.

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ALABAMA .

Legislative Action

The Alabama House of Representatives refused on July 20 to allocate funds to schools losing federal money because of failure to sign desegregation pledges with the U.S. Office of Education.

House Bill 864 would have given Gov. George C. Wallace power to allocate all surplus funds in excess of \$1 million left in the Special Education Trust Fund after other allocations had been paid.

Rep. W. C. Hannan of Lauderdale County sponsored an amendment to an education bill, which in its original form would have given the governor this authority. The vote in support of the amendment -- that is, not to give the governor this power -- was 60-30.

The estimated current surplus in the education fund is about \$50 million. However, about \$32 million was allocated in the special session on education earlier in the year. Rep. Clara Collins of Mobile said that the proposed provision would be "an open door" on the fund and that if larger counties decided to withdraw compliance, the smaller counties would be left out because of a shortage of funds.

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Legal Action

U.S. District Judge Seybourn H. Lynne of Birmingham ordered the Bessemer school board to submit a desegregation plan for September. The one the board presented was modified by the court to make grades one, seven, ten and twelve subject to desegregation this fall. The board's plan had called for desegregation of grades one, four, seven and ten.

The suit challenging the "biracial" Bessemer school system was filed by five Negro parents in May.

The Bessemer board has refused to submit any compliance agreement pledging to abide by the 1964 Civil Rights Act. The board challenged the legality of the compliance section, filing suit in March. There has been no decision on the action.

Gov. George C. Wallace has urged all Alabama school boards to make no move toward compliance until the Bessemer case can be decided. The State Board of Education, which first balked at making any agreement with HEW, later signed, as State Superintendent of Education Austin R. Meadows had earlier, independently of the board.

Judge Lyme, in his order, said the "burden of initiating desegregation does not rest on Negro children or parents or whites, but on the school board."

Dr. James Knuckles, superintendent of the Bessemer Board, said every effort would be made to comply with the modified plan, which calls for four-grades-a-year desegregation: grades one, seven, ten and twelve this fall; grades two, three, eight and eleven in 1966; grades four, five, six and nine in 1967. The cutoff date for transfer applications by Negro students was set for Aug. 20.

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A suit demanding the immediate desegregation of the Fairfield school system was filed July 21 and set for hearing Aug. 3. Fairfield is a suburb of Birmingham.

The suit charged that the Alabama School Placement Law had been used by the board to deny admission of Negro students to white schools. The suit was similar to those against the Jefferson County and Bessemer school systems, which resulted in desegregation orders for this fall.

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Community Action

Citizens groups in Dallas County (Selma), Lowndes County and Demopolis plan private schools to avoid school desegregation.

Leaders of a newly formed private school foundation in Selma promised to start classes in September in a white-columned mansion once occupied by a Confederate Civil War general.

While they had hoped to operate the school with state tuition grants, under a bill pending in the legislature, the president of the foundation, Robert D. Wilkinson, said: "We're going to have a school whether we get the money or not."

The pending bill would make up to \$185 a year available for a child whose assignment would, in the judgement of parents, be "detrimental to (his) physical or emotional health" or subject the child to "hazards to personal safety."

The foundation was formed after the Selma school board agreed to desegregate the first four grades this fall.

In Lowndes county, a similar group was organized with "flexible plans" for a private school to open in September. There are fewer than 700 white pupils in the county and some 4,000 Negroes. Reports revealed that 46 Negro applications for transfer to the all-white Hayneville High School had been received by late July.

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Lowndes County filed a compliance plan with the U.S. Office of Education in June, applying to the top four grades. County officials said they had heard nothing from Washington and did not know whether the plan was acceptable or not.

In the articles of incorporation of the foundation it was stated that the purpose of the group was to perpetuate sound education by private means. The officials chosen to head the organization said private financing is the only way to insure freedom of association.

In Demopolis, 287 families were contacted in late July and, according to reports, 83 per cent answered favorably to the proposition of a private school there. More than 100 families, officials said, planned to send their children to the school.

The number of grades would depend, the organizers said, on the number of pupils enrolled. Tuition was set at \$30 per month per child, with a sliding scale of lesser amount for additional children from the same family.

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What They Say

A Birmingham educator, Dr. Alton C. Crews, associate superintendent of the Jefferson County school system, told the Alabama Association of Secondary Schools on July 28 that public schools are being used as a "proving ground" in the civil rights struggle.

Dr. Crews told the group that southern educators are "faced with a conservative citizenry aggressively resisting a strong Negro minority movement with the public schools as the proving ground."

Alabama schools, he said, share the national responsibility of making high schools meaningful to students.

"In addition to this problem, however," he continued, "we labor under a doctrine espoused by many political leaders of the Southland that instill a distrust of federal government in the people."

The group, which held a two-day meeting at Huntingdon College in Montgomery, included a panel of principals from desegregated schools in Birmingham, Sheffield, Montgomery, Huntsville, Tuskegee and Mobile. The panel agreed that advanced planning is the key to orderly desegregation. It further agreed that desegregation is not detrimental to the school program if planned carefully.

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Gov. Wallace told members of the Senate, in a private talk, that he expected stepped-up racial demonstrations in Alabama in the fall, especially when schools reopen in September.

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The expectation of wider school desegregation, and the trouble the governor said he expected, would put a heavier load on State Troopers, requiring additional appropriations, he said.

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