

SCHOOL DESEGREGATION IN TEN COMMUNITIES

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U.S. COMMISSION ON CIVIL RIGHTS

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Investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, or national origin, or by reason of fraudulent practices;

Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution;

Appraise Federal laws and policies with respect to equal protection of the laws;

Serve as a national clearinghouse for information in respect to denials of equal protection of the laws; and

Submit reports, findings, and recommendations to the President and the Congress.

Members of the Commission

Stephen Horn, Acting Chairman

Frankie M. Freeman

Maurice B. Mitchell

Robert S. Rankin

Manuel Ruiz, Jr.

John A. Buggs, Staff Director

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Mary V. Avant	Josie Gonzales
Lucille L. Boston	James J. Lyons
Alice R. Burruss	Nathaniel Morehead
Ruby P. Chandler	Grenda L. Morris
Patricia A. Cheatham	Nadine Price
James B. Corey	Ulysses Prince, III
Ruby T. Daniels	Betty K. Stradford
Lou Ann DeVargas	Patsy Washington
Brenda A. Watts	

The Report was prepared under the overall supervision of Martin E. Sloane, Assistant Staff Director, Office of Program and Policy Review.

OVERVIEW

In the winter and spring of 1972, the United States Commission on Civil Rights undertook a series of investigations of school systems in the process of desegregation. Some of the school systems selected, such as those in Pontiac, Michigan, Charlotte, North Carolina, and Pasadena, California, had been the subject of protracted and bitter litigation. The schools in these communities had not been desegregated willingly, but through the force of law. Newspaper stories of the opening of school in these communities for the 1971-72 school year had provided vivid accounts of disruption and even violence, of communities split apart by the controversy over school desegregation. Shortly after the beginning of the school year, the headlines subsided and newspaper accounts of disruption ceased. The Commission sent investigators to these cities to find out how desegregation was in fact working. Commission staff also visited communities that had not been subjects of national publicity-- communities which, either reluctantly or willingly, had desegregated their schools in atmospheres of relative calm. The Commission sought to find out how desegregation was working in these communities, which had received little attention from the national news media and which apparently had not experienced the disruption and violence that had afflicted others.

On the basis of these investigations, the Commission issued two reports--Five Communities: Their Search for Equal Education and The Diminishing Barrier: A Report on School Desegregation in Nine Communities. In conducting these studies, the Commission recognized that elimination of segregated school systems, even under the best of circumstances, is neither a quick nor a painless process. But the circumstances have been far from the best. Even in those communities which have avoided the more obvious manifestations of turmoil and bitterness, desegregation has been carried out in a pervasive atmosphere of controversy. The controversy is nationwide in scope, for the problem of desegregation is no longer perceived as one unique to particular regions of the country, if indeed, it ever really was. It involves government at all levels. Several States--North and South--have passed laws, resolutions, and even constitutional amendments, opposing busing as a means of achieving desegregation. Candidates in local, State, and national elections, instead of engaging in rational dialogue on the true issues involved, have vied with each other in declaring their unalterable opposition to use of the school bus.

The controversy also has severely tested the integrity of the three branches of the Federal Government, once united in their resolve to eliminate racially dual school systems by whatever means

necessary. Congress has passed legislation in an effort to curb busing. School districts subject to court orders have filed new appeals in the hope that school desegregation may not be as inevitable as once thought. And the Executive Branch has diminished its role as enforcer of desegregation requirements, to the point where a law suit against the Department of Health, Education, and Welfare (HEW) has led to a court order directing the Department to resume its responsibility for securing compliance with the law.

Debates in the academic community have added to the atmosphere of uncertainty and confusion. Social scientists and professional educators, on the basis of slim data, have argued over the relative benefits of desegregation in relation to the inconvenience and cost involved.

Minorities have not stood by passively awaiting acceptance of their children in desegregated schools. Some have rejected the idea of entrusting their children to schools dominated by the white, Anglo culture and have turned their attention to other issues such as the demand for "community control" of schools.

It is in this atmosphere that the process of desegregation has proceeded. Nonetheless, in its two earlier studies, the Commission's basic conclusion was that school desegregation is working, that most

of the fears and anxieties, such as those concerning busing, have proven groundless. Even in those communities which once were explosive, the situation has eased and desegregation proceeds in relative calm. The facts found in those two reports suggested that school desegregation can succeed, not just in the sense of physically bringing together children of different races and ethnic origins, but also in the sense of enabling them to understand and respect one another and generating an improved climate of racial understanding among their parents.

The Commission also found that the process of desegregation is almost never a totally smooth one. It cannot be traced on a graph as an unbroken line, ever moving upward. Mistakes frequently are made, petty incidents can throw an anxious community into confusion, and school systems that seem to have turned the corner toward total success suffer serious setbacks. Above all, the Commission found that successful school desegregation is not achieved without substantial effort on the part of many groups and individuals--the school board, the superintendent, the teachers, the news media, civic leaders, and the students themselves.

The Commission conducted its current study of 10 school districts during the late fall and winter of the 1972-73 school year. The purpose of this study is to reexamine earlier findings and explore more deeply the dynamics of school desegregation and community reaction. The districts involved in this study include the five

originally described in Five Communities: Winston-Salem/Forsyth County, and Charlotte-Mecklenburg, North Carolina; Hillsborough County (Tampa) Florida; Pasadena, California; and Pontiac, Michigan. Commission staff revisited these districts to determine what changes had occurred in the year since the last Commission visit.

Commission staff also visited Clark County (Las Vegas) Nevada, and Oxnard, California, two Northern districts which had appealed court orders to the Supreme Court on the basis of congressional legislation limiting busing; Glynn County, Georgia, a small district in the South which has been desegregating under court order for a number of years; Union, New Jersey, which desegregated its schools under threat of possible Federal fund termination; and Riverside, California, a district that voluntarily desegregated during the mid-1960's and which has drawn national attention for the excellence of its educational program.

On the basis of its current study, together with the two earlier reports, the Commission has made findings which it believes to be of special importance. The experience of the particular communities studied by the Commission--their failures as well as their successes--represent lessons from which other school districts can learn much. They can help other school districts separate fact from myth, so that they are prepared to meet the problems that are truly likely to arise, rather than those based on nothing more than rumor and rhetoric.

Above all, they can help school and community leaders to gain a deeper awareness of the real basis for the anxieties of children and parents--minority and majority--and take the steps necessary to meet them sensibly and compassionately.

In brief, this is what the Commission has found on the basis of its investigations:

First, one reason why many people are uneasy about desegregation is their fear that it will result in a poorer quality of education for their children. This is among the fears that have proven groundless. In fact, in a number of communities desegregation has been a force contributing to substantial improvement in the quality of education. There are several reasons for this significant phenomenon. For one thing, the shock of desegregation has caused school officials to take a new and hard look at their educational program and, in some cases, realize that it was outdated and inadequate. As a result, educational innovations have been instituted and the schools are applying themselves with renewed energy and dedication. Further, in preparing for desegregation, school systems have undertaken special training for faculty and staff to enable them to teach effectively in racially integrated school environments. In many cases, this training has provided teachers with a new perspective and reignited in many the spark of dedication. In addition, assistance through

such Federal programs as the Emergency School Assistance Program (ESAP), now the Emergency School Aid Act (ESAA), and Title I of the Elementary and Secondary Education Act has provided school districts with the necessary economic support to broaden the scope of their educational offerings and to obtain the services of specialists to help with particular problems.

Second, the Commission's investigations show the necessity for careful and sensitive preparation for desegregation. Thus where the community is kept fully informed at every step in the desegregation process, where the residents are made aware of the desegregation plan and how it will affect them and their children, where they have the opportunity to visit the schools which their children will attend and talk to the teachers from whom their children will learn, anxiety concerning the unknown can be reduced, a sense of community participation can be established, and the chances for a smooth transition to a desegregated system are enhanced. Experience also shows that failure to take these preparatory steps severely reduces the chances for success. In some communities, last-ditch opposition to school desegregation--down to the day of school opening, and beyond--has precluded such preparation and has prevented school systems from making the transition to desegregation in an atmosphere of public calm and awareness.

Third, the technical problems of achieving desegregation, such as determining the most appropriate desegregation technique and

dealing with the problems incident to increased busing, have proven to be far less formidable than previously believed. Commonly used techniques, such as school pairings, creation of central schools, and establishment of school clusters, have been used successfully to bring together children who previously attended school on a racially segregated basis. Problems of bus schedules, cost, and inconvenience have been minimal. Minor changes in bus scheduling have enabled school systems to carry children to and from school with little added distance or time and without seriously limiting their opportunities for participation in extracurricular activities. Additional cost for transportation necessitated by desegregation has been slight, particularly when compared to the overall increase in expenditures for education. Safety has proven to be no problem at all. In fact, some of the protests about busing have come from parents whose children have been denied the opportunity to ride to and from school with their friends on the bus. In short, busing is not an insurmountable problem.

Fourth, many school officials, in their concern to facilitate a successful transition to desegregation, have tended to consider the needs and desires of the white community, alone, sometimes assuming that minority parents will welcome desegregation on almost any terms. This has led to minority resentment and protest which could have been avoided through a more sensitive and comprehensive

view of the needs of the entire community. Thus many desegregation plans involving busing place almost the entire burden of transportation on minority children, while their white counterparts continue to attend their neighborhood school during most of their school years. Similarly, although school children are desegregated, positions on school staff, particularly those involving decision-making authority, continue to be occupied almost exclusively by whites. Some school systems, surprised at minority protest over these conditions, have begun to make the necessary changes, but the experience so far clearly suggests that the changes must be made more quickly and on a broader basis.

Fifth, the way in which school officials, civic leaders, and the news media respond to disruptive incidents can serve either to preserve an atmosphere of calm or heighten tension even more. In most cases, local news media have provided excellent support to desegregation and have served to inform the public and allay fears. Incidents in school, however, make for good stories and sometimes local media have taken a minor scuffle and blown it up to the proportions of a major riot. By the same token, some principals, because of their own anxiety, have overreacted to minor incidents, which they previously would have handled routinely, by taking such drastic steps as closing the school and ordering mass suspensions.

These have not only proved unnecessary but have had the effect of upsetting the children and alarming the community.

Sixth, there is a sharp contrast between the reaction of communities to their own experience in desegregation and their expressed feelings concerning desegregation as a general proposition, particularly when the issue of busing intrudes. Most parents interviewed by Commission staff are satisfied with desegregation as it affects their own children. The bus ride that their children take causes them no concern and they approve of the educational program offered since desegregation. Yet many of these same people, on local and State referenda concerning busing for school desegregation, vote overwhelmingly in the negative. So powerful is the rhetoric concerning busing that it has blinded them to the reality of their own experience.

Finally, the effects of the controversy at the national level concerning busing and school desegregation have been felt in a number of communities visited by Commission staff. While those school systems which have been desegregated for a substantial period of time--even those which were required to do so by court order--have been relatively unaffected, school systems that have only recently desegregated or are in the last stages of the legal battle for

desegregation have become unsettled. Instead of taking the essential steps to assure that desegregation will be accomplished calmly and effectively, some of these communities are devoting their energies to last-ditch fights to turn back the clock. In short, the controversy and confusion at the national level has fostered uncertainty at the local level, to the detriment of the children, the school system, and the community.

The findings described above, while they reflect the principles which the Commission believes have general relevance, do not offer sure-fire solutions of universal applicability. To some extent, each community must determine for itself what will work, based on such factors as demography, tradition, and quality of leadership, which may be unique. Indeed, courts do not typically impose specific desegregation plans on communities. Rather, they afford them the opportunity to devise their own plans. Further, even with the most careful plans and the best of intentions, there is no firm guarantee that successful school desegregation will be accomplished without difficulty. No established formula exists by which it can be assured. The Commission believes, however, that from the experience of the 10 communities described in this report the entire Nation can learn and the path to successful desegregation can be eased.

In the atmosphere of discord and controversy that has prevailed over desegregation, some Americans are asking whether it is worth the effort. The Commission's examination of desegregation as it is actually working in school districts throughout the country reenforces our belief that it is. Its worth cannot be measured solely by reference to achievement test scores, daily attendance rates, and the like. Nor is its value limited to minority students alone. All of us--majority and minority alike--have a vital stake in overcoming racial injustice and establishing conditions under which all segments of the Nation's population will flourish. This cannot be accomplished on the basis of racial apartheid.

The Commission believes it is time to emphasize what unites us as Americans rather than what divides us. Despite our efforts, we, the older generation have largely failed to achieve a unified society. We must now look to a new generation--our children--to bring about this unity. We must now look to our children to develop the sense of respect and appreciation for individual worth, regardless of race or ethnic origin, which we, their parents, somehow have been unable to develop.

The schools can play a key role in determining the future of American society--either in perpetuating racial unrest and distrust or in fulfilling the historic role that Horace Mann saw as the "great equalizer of the conditions of men--the balance wheel of the social machinery." If the schools are to be a positive influence in shaping the Nation's future, they must first meet their fundamental obligation to bring our children together.

The importance of desegregation to the well-being of our society was recently noted by one nationally known commentator who long had been skeptical over the wisdom of passing laws to protect the rights of minorities. Writing about the abolition of segregation laws in Mississippi, he observed:

The fact of the matter is that the end of Jim Crow hasn't increased interracial hostilities; quite the contrary. In the past four years Mississippi has achieved a racial integration unthought of in the North...and relations between white and black are, for the most part, altogether relaxed.... Mississippi lost the right to pass its own laws respecting schooling, transportation, hotels and restaurants. And it is, without question, a better place to live in now than before. 1/

The Commission's studies of school desegregation throughout the Nation strongly suggest that the experience of Mississippi is not unique--that progress can be made even in areas that once seemed most intractable. Desegregation is indeed worth the effort.

1/ William F. Buckley, "Racial Relaxation in Mississippi," Washington Evening Star-News, Dec. 19, 1972.

HILLSBOROUGH COUNTY, TAMPA, FLORIDA ^{1/}

The Hillsborough County school district, the nation's 26th largest, enrolled 106,294 children in 92 elementary, 26 junior high, and 11 senior high schools in 1972-73. Approximately 20 percent of the student body is black and 6 percent of the students are Spanish-surnamed Americans. ^{2/} According to school officials, the vast majority of Spanish-surnamed students are second, third, and even fourth generation English speaking Americans. Only 200-300 students, mainly Cuban refugees and children of migrant workers, do not speak English.

Legal History and Current Desegregation Plan

As noted in the Commission's earlier report on Hillsborough County, the legal history of school desegregation in the district is long and tortuous. In December 1958, a suit was filed by black parents in the U.S. District Court for the Middle District of Florida (Tampa Division) alleging that the Hillsborough County School Board operated a racially segregated school system in violation of the Constitution of the United

^{1/} Hillsborough County is a sprawling metropolitan area of over 1,037 square miles. According to the 1970 Census, the county population was 490,260 of whom 66,729 were black and 52,643 were listed as "persons of Spanish language" (a Bureau of Census designation based on sample response to a question concerning "mother tongue"; persons so identified may or may not speak English). More than half of Hillsborough County's residents live in the city of Tampa whose population is approximately 20 percent black and 14 percent "Spanish language."

^{2/} Statistics based on Hillsborough County Schools' Form OS/CR 101 supplied to the Office for Civil Rights, Department of Health, Education, and Welfare--October 13, 1972.

states. ^{3/} The District Court's decision to dismiss this suit was reversed in 1960 by the Fifth Circuit Court of Appeals which ordered a new hearing. ^{4/} The District Court held the new hearing and declared on August 21, 1962, that the Hillsborough County School Board was guilty of operating a racially segregated system. ^{5/} The court ordered the board to submit by October 30, 1962 a comprehensive plan of desegregation. Between October 1962 and May 1970, both the District Court and the Court of Appeals received numerous motions from both plaintiffs and the defendant school board, and issued a series of orders to compel implementation of a variety of desegregation plans for the Hillsborough County schools. Although the school board complied with the court orders and implemented the various desegregation plans, racial isolation in the Hillsborough County schools did not decline significantly in the eight-year period.

^{3/} Manning v. Board of Public Instruction of Hillsborough County, No. 3554 Civ. T.

^{4/} Manning v. Board of Public Instruction of Hillsborough County, 277 F. 2d 370.

^{5/} Manning, No. 3554 Civ. T. The Court based its decision on the fact that the Hillsborough County School Board (1) prior to 1954 operated the system on an entirely segregated basis, (2) prior to 1961 had failed to bring about any change in the racial composition of the schools (on that date one black boy was admitted to Bayside School, a school for handicapped children in the county), and (3) at the time of the trial operated 114 public schools for some 80,000 students and that 20 of these schools were black schools and 94 were white schools.

In May 1971, the U.S. District Court on its own motion reopened the Manning case over which it had retained jurisdiction. The court affirmed its earlier finding that the "Hillsborough County School System is segregated as a result of defendant's unlawful policies," and it reviewed the failure of prior desegregation plans. ^{6/} The court wrote:

The record in this case...offers patent and undeniable proof that all of the desegregation plans heretofore implemented in Hillsborough County have failed to abolish the dual structure of student attendance.

* * * * *

The reasons why the previous plans failed are obvious. Too much reliance was placed on free choice, transfer provisions other than majority to minority ones have been extremely liberal, and no attempt was made to eliminate the black schools except by the addition of a few whites to the black school population. 7/

On May 11, 1971, the District Court ordered the county to desegregate its schools by the beginning of the 1971-72 school year. The order stipulated that the school board must submit its desegregation plan to the court by June 15, 1971 and that the plan "should accomplish desegregation by pairing, grouping, clustering, and use of satellite

6/ The last report filed by the school system prior to the District Court's reopening of the case revealed that "as of October 23, 1970, 9,106 or 40 percent of the system's blacks were attending 15 black schools. Although they comprised only 19 percent of the student population, 13,606 or 69 percent were in 28 schools at least 50 percent black. On the other hand, 69 percent of the white students-- 57,869 out of 83,474 attended 65 schools either all white or at least 95 percent white." Cited in Manning, No. 3554 Civ. T., May 11, 1971 Order (hereinafter cited as Order) p. 35.

7/ Order, pp. 37-38.

attendance zones." The court strongly suggested, though it did not require, that the school board "begin with the proposition that a white-black ratio of 86-14 percent in the senior high schools, 80-20 percent in the junior high schools, and 79-21 percent in the elementary schools would be the most acceptable and desirable form of desegregation."^{8/} The court order did not address the matter of faculty and staff desegregation since that had been fully accomplished in the 1970-71 school term in accordance with a previous court order.^{9/}

Preparation for Implementation of the Plan

Upon receipt of the May 11, 1971 court order, the Hillsborough County Board of Education decided not to appeal, but to comply with the court order. The board adopted the racial proportions suggested by the court as the standard for all schools in the county. Moreover,

^{8/} Order pp. 43-44. School desegregation by pairing or grouping is achieved when the attendance areas of two or more schools are merged so that each school serves different grade levels for a new, larger attendance area. Clustering is similar to the process of pairing or grouping except for the fact that more schools are usually merged. Satellite attendance zones are school attendance areas that are geographically non-contiguous.

^{9/} Manning, No. 3554 Civ. T., August 25, 1970 Order.

recognizing that the public schools are the "people's schools," the board decided to involve the public in the actual design of the desegregation plan.

As a vehicle for public participation, a 156-member Community Desegregation Committee was established to represent the full spectrum of community opinion concerning school desegregation. The committee, chaired by a four-star Air Force General, included 30 students and members of such diverse groups as the White Citizens Council and the National Welfare Rights Organization as well as parents, newspaper editors, radio and television station managers and bank presidents. In setting up the Community Desegregation Committee, school officials not only recruited the community's recognized leaders, but also sought out those people who had expressed the strongest feelings either for or against desegregation.

School officials also established an Administrative Desegregation Committee composed of 15 key school officials and five laymen to draft a series of alternative desegregation plans. The Community Desegregation Committee considered various plans generated by the Administrative Desegregation Committee, suggested modifications, and finally selected one for submission to the court. The District Court received the plan by the June 15 deadline and approved it without alteration July 2nd.

By clustering, pairing and satellite attendance zoning the Hillsborough County desegregation plan provided for the specified white-black ratio of 79-21 percent at the elementary level; 80-20 percent at the junior high units; 86-14 percent in the senior high schools.

Most of the 89 elementary schools in the county were desegregated by clustering; ^{10/} one formerly predominantly black school was clustered with two to five formerly predominantly white elementary schools. The previously majority black school became a sixth grade center serving all sixth graders from the cluster schools. First through fifth grade students at the formerly black school were distributed among the formerly white schools through the use of satellite zones.

The 23 junior high schools and three junior-senior high schools were similarly integrated through clustering and satellite zoning. In each of the eight arrangements, one formerly "black" school was clustered with from one to three previously "white" schools. The formerly black junior high school became a seventh grade center serving all seventh graders from the cluster schools. Eighth and ninth graders from the formerly black school were distributed among the formerly white junior high schools through satellite zoning.

10/ Two elementary schools are integrated through rezoning, and another elementary school is integrated through the use of a satellite zone. Four elementary schools had been integrated in the 1970-71 school year and retained the same attendance boundaries. The plan called for the closing of one black elementary school that was not adequate to serve as a modern elementary school. The student population required the opening of three additional elementary schools in the 1972-73 school year.

The senior high schools retained their 10-12 grade structure, although one previously all-black senior high was converted to a seventh grade center and another black senior high became a middle school unit (grades 8-9).

The district also altered the grade organization structure of its schools from a 6-3-3 configuration (elementary--K-6; junior high school--7-9; senior high school--10-12) to a 5-1-1-2-3 structure (elementary--K-5; 6th grade center; 7th grade center; middle school--8-9; senior high school--10-12).

In reviewing the reasons for what they consider Hillsborough County's successful desegregation, most school officials interviewed by Commission staff referred to one or more of the decisions made with regard to the development of the desegregation plan or the plan itself. They noted that while each of these decisions may have antagonized some county residents, each decision also solidified support in other segments of the community.

The first key decision, according to these officials, was the determination not to appeal the court decision but to exert every effort to comply with it. They stated that the tremendous task of planning and reorganization could not have been accomplished in the month allotted if the board and top administrators had not been unified in their commitment to orderly and good-faith compliance.

Some school administrators believe that the decision to follow the court-suggested white-black ratios for all schools in the county was extremely important. They pointed out that the adherence to the uniform ratios ruled out divisive "political" efforts to design a plan that would "spare" some children from being transferred or bused and helped to minimize white flight and to stabilize the system. Although staff members foresee the need to make slight alterations from year to year to maintain the authorized enrollment percentages, they are confident that the alterations will not be major or traumatic.

The decision to involve the public in the design of the desegregation plan was absolutely critical, according to the chairman of the Administrative Desegregation Committee. In addition to making the plan more responsive to the needs of Hillsborough residents, he believes that the Community Desegregation Committee served as an important instrument of public information. Individual members of the Committee regularly reported, usually on an informal basis, to the organizations and "constituencies" they represented concerning development of the plan. As a result, members of the Committee and the community in general did not fear that a "sinister plot" was being "laid out in secret"--they understood the plan and the reasoning behind it. Finally, participation on the Community Desegregation Committee by Hillsborough County's major civic leaders and opinion makers created

support of the plan. It was "their" plan, the collective product of the community. Those who helped design the plan naturally had an interest in its success and were generally quite responsive to administrative requests for assistance in its actual implementation.

The fourth decision concerned the plan itself and the heavier burden that was placed on the black community. The plan effectively "downgraded" most of the formerly black junior high schools to seventh grade centers and two formerly black senior high schools to junior high schools. Furthermore, the plan required most black children to be bused for ten of their 12 school years, while white children are transported for only two years at most.

The fact that the responsibility for desegregation seemed heavier for blacks apparently made the plan more acceptable to the white community. One ranking school administrator conceded publicly that the plan was an "appeasement of the white majority." Many in the black community deeply resented what they saw as the lop-sidedness of the plan, and some black leaders threatened demonstrations if the school administration failed to balance the burden. Although school officials did not modify the plan, the threatened demonstrations generally did not materialize.

After more than a year's experience under the plan, black resentment appears to have waned, and most black parents interviewed by Commission staff indicated that despite the hardships involved they now feel their children are receiving a better education because of the desegregation program.

1972-73 School Year

On August 28, 1972, the Hillsborough County schools began the second year of operation under the desegregation plan. According to the school superintendent, the 1972 opening was "the smoothest we've ever had...even before the court order."

Racial enrollment percentages for all district schools for 1972-73 varied little from the standard set by the school board. Total student enrollment increased by more than 2,000 between September 1971 and September 1972.

According to school administrators, this enrollment increase offset the number of children who had left the public schools because of the integration plan. Many parents who had removed their children from the system have since re-enrolled them. This re-enrollment process began early in the 1971-72 school term and accelerated as parents recognized that their fears concerning integrated schools were unfounded. Officials believe that educational considerations--class size, course offerings and the quality of instruction--persuaded many parents to remove their children from private schools and return them to the public system. Commission staff was told that at least one of the private schools established at the time of the plan's inauguration has since closed.

Busing

Despite repeated requests, the Commission staff has not been provided transportation statistics for the Hillsborough County school system for the 1972-73 school year. School transportation officials

did state, however, that there has been little change in the transportation program except that approximately 2,000 additional children are bused this year, bringing the total number of children transported to approximately 55,000. That increase, they said, reflects increased school enrollment and the opening of the large new senior high schools which draw from expanded attendance areas.

As reported in the Commission's earlier study of the district, some 32,000 students were transported before the desegregation plan (1970-71) and approximately 53,000 students after the plan was implemented (1971-72). The cost of student transportation before the desegregation plan was approximately \$826,000 (1.3 percent of the total school operating budget of \$63,300,000) and in the year following desegregation was about \$1,369,000 (1.9 percent of the total school operating budget of \$71,567,000). It was estimated that the operating expenditures for student transportation in 1972-73 would amount to nearly \$2 million because of increases in equipment costs and mandatory pay raises.

Commission staff were informed that the staggered school schedules of 1971-72 are still in effect. Most buses generally continue to carry students of one race due to residential segregation and the nature of the desegregation plan.

Most teachers interviewed do not believe that the busing of students has adversely affected the educational program or student learning. Although activity buses are provided to the schools, some

teachers would like more, as they believe that student participation in extra-curricular activities has suffered because of the lack of enough activity buses.^{11/} A number of students also mentioned this problem.

Some parents and students complained about staggered school openings under the plan. One senior high school student, for example, said that he and his three brothers and sisters all have different bus schedules and leave the house at different times (6:30, 6:50, 8:30 and 11:30 a.m.). He observed that while this was "pretty rough" on his mother, he didn't mind it himself since he believes that he is receiving a better education under the desegregation plan.

A number of school personnel observed that "children love riding the buses." The principal of a sixth grade center related how student fascination with riding the buses actually created problems. He explained that in order to load the buses quickly in the afternoon, the staff devised a color coding system; buses were designated as blue, red, green, and students were given a corresponding colored plastic tag indicating which bus they were to ride. Students simply displayed the tag to the driver and boarded "their" bus. The flaw in this system became apparent the second day; drivers who had completed their runs to outlying areas of the county were astonished to find that they still had passengers. The students, it turned out, had "swapped" tags so that they could "see more places." The principal said

^{11/} Activity buses are provided for students whose participation in before or after-school activities prevents them from riding the regularly scheduled buses to or from school. These activity buses are in addition to the buses which are provided for educational class excursions and field trips.

the color system was abandoned but that children somehow still manage to board the wrong bus.

Quality of Education

A number of innovative educational programs was established to accompany the desegregation and grade structure reorganization of the Hillsborough County schools. These new programs, largely financed from the system's 2.25 million dollar Emergency School Assistance Program grant, ^{12/} are most evident in grades 6-12.

In the sixth and seventh grade centers, an instructional team approach was implemented. Instead of one teacher instructing approximately 30 students, four or five teachers of different subject matter areas instruct a cross-cultural heterogeneous "block of approximately 150 students." Non-certified instructional aides assist sixth grade instructional teams. Teachers on both the sixth and seventh grade teams elect a "team leader" or "block-head," as they are affectionately called, to coordinate the efforts of the team.

Instructional leadership is emphasized in the middle schools (grades 8 and 9) and in the senior high schools. In each middle school, two curriculum coordinators--one for the areas of Language Arts and Social Studies and one for Mathematics and Science--were appointed. The school board also established the position of Assistant Principal for Curriculum in each of the senior high schools. These new personnel are "expected to give full time to furnishing leadership for improving and revising the teaching-learning program."

^{12/} The Emergency School Assistance Program (ESAP) was created by an act passed by Congress in 1970 to provide Federal funds to school districts desegregating their schools.

At the senior high level, the board also appointed a Tutorial Specialist (a certified secondary school teacher with a wide range of subject matter experience) for each 800 students. Working with classroom teachers and counselors, the Tutorial Specialists identify students needing academic help, work directly with these students, and coordinate the efforts of university and community volunteer tutors available to the schools for these students.

The consensus among local school personnel is that the new ESAP-funded programs have been invaluable. Teachers said that these programs have "opened up" the educational process and have made it more rewarding for them as well as more exciting for their students. Teachers expressed particular satisfaction with the team approach since it permits them to utilize better their special expertise and at the same time work more closely with other teachers.

To date, school officials have not definitively assessed the academic impact of the desegregation plan. The superintendent noted that some of the \$1 million spent on additional transportation could have been allocated to instructional programs. On the other hand, he cited such "interesting and positive" educational approaches as the concentration in one school of from 500-700 school children of the same grade as a clear benefit of the plan.

Some sixth and seventh grade-center and middle-school principals regret that under the plan they have children for only one or two

years. They feel that the school loses the student at a time when the staff has really gotten to know him and understand his educational strengths and weaknesses. Other principals, however, view this turnover as a stimulus to the staff's educational efforts. As one sixth-grade center principal expressed it: "When you only have a child for one year, you can't wait, you can't procrastinate; you have to give the child everything you can to prepare him for the next level, and you have to give it to him now."

There are no data yet available to measure the precise effect of desegregation on student achievement. Although a number of factors prevented school officials from making pre-and-post-plan achievement analyses, they were able to measure academic achievement in reading and mathematics in the second, fourth, sixth and seventh grades at the beginning and end of the 1971 school year. Their finding was that in 10 of the 13 skill variables tested, significantly more pupils scored in the above average ranges according to national norms at the end of the first year of desegregation than at the beginning of the year. While the data are quite limited, they are consistent with the superintendent's statement that there has been "no lessening of education--no lowering of standards" because of the desegregation plan.

Student Discipline and Disruptions

School officials reported that many of the problems of student discipline noted by personnel in the early part of the 1971-72

school year in Hillsborough County have been resolved. They cited experience with desegregation, changes in attitudes and a comprehensive Human Relations program as factors contributing to this improvement.

Several school administrators cited teachers' lack of familiarity with children of a different race or socio-economic background as a cause of some disciplinary problems experienced immediately after desegregation. Some white teachers, for example, were reportedly hesitant to discipline black students, and as a consequence, classroom discipline and student respect for these teachers suffered. They observed that practical experience and in-service training have helped teachers and students to relate to each other as individuals rather than as members of any particular group.

Attitudinal changes have also contributed to better student discipline. One principal observed that initial parental opposition to busing and integration encouraged students' disrespect for school rules and personnel. But "as antagonism towards busing declined, tension diminished and student discipline improved dramatically."

Under a Human Relations program funded under the Emergency School Assistance Program, community-school specialists and aides were assigned on a full-time basis to all junior and senior high schools to work with parents, teachers, administrators and students. Teachers and principals interviewed by Commission staff praised the work of these personnel and stressed that they had not only helped foster a positive racial climate but also contributed to an unprecedented improvement in the level

of communication and understanding in the schools.

Hillsborough County schools continue to experience what officials consider to be the "normal" incidence of disciplinary problems--including the "inevitable" fights between students. As the superintendent put it: "There were, of course, clashes in the schools last year; there probably will be some this year; there probably will be some for years to come; and there probably will be some forever because boys are boys and girls are girls." According to the superintendent, some of the student conflicts are "racial conflicts only in people's minds."

Since the beginning of the 1972-73 school year, two significant student disruptions have occurred. At one junior high school, sporadic incidents of scuffling and fighting between small groups of students followed a fight between two boys in the cafeteria. As a result of the disturbance, two students were injured and 11 students (eight black and three white) were suspended from school. Order was restored by school personnel assisted by a Human Relations Specialist from another Tampa school.

A more serious incident occurred at one of Tampa's three new senior high schools approximately four weeks after its official opening. The \$5 million school, designed to accommodate modular scheduling ^{13/}

^{13/} Modular scheduling is a form of flexible scheduling under which the school day is broken down into small time units (usually 15-20 minutes). The units or "modules" of time are then combined into varying length class periods for different courses and activities. Modular scheduling encourages students to develop a sense of responsibility and their own decision-making abilities. Students must decide when and how they will spend their unscheduled time within the school building.

and other educational innovations, was experiencing a number of problems at the time of the disturbance. Construction delays had forced postponement of school opening for a week. The mall area of the school, resembling a mall in a modern shopping center, was heavily congested because the wing housing the auditorium was still unfinished. Since students had not been issued lockers, the area was cluttered with textbooks and student paraphernalia. Finally, some students were allotted their full week's "opportunity time"^{14/} on a single morning or afternoon because of errors in computerized scheduling.

On the day of the disturbance, tension was especially high at the school. Approximately 60 students attempted to stage a morning walkout to secure greater senior privileges, establishment of smoking areas in the building, and an open campus.^{15/} While school officials were meeting with some of these students on their demands, two students started a fight in the mall area. Other fights started and eventually 55-60 of the 500 youngsters who were crowded into the mall joined in the fracas. Though law enforcement officers were summoned, school personnel were able to restore order before their arrival. As a result of the incident which lasted less than ten minutes, six students sustained

^{14/} "Opportunity time" is that part of the school day which is not allocated to formal academic instruction. Students are expected to engage in extra-curricular activities and independent study during their "opportunity time."

^{15/} On an "open campus" students are free to leave the school grounds during lunch periods.

minor injuries and school was dismissed about two hours early. The school board subsequently expelled five students (three black and two white) and suspended at least ten others for a term of ten days.

After two days of talks with students at the school, school officials concluded that the disturbance was caused by administrative and physical plant problems, not by racial friction. As a result of their investigation, officials immediately made administrative changes to alleviate the problems of crowding and scheduling.^{16/}

16/ In early February 1973, after this report had been completed, scattered racial incidents occurred in a number of Florida school districts. Hillsborough County experienced no serious problems although police were dispatched to two high schools because of minor incidents of students "shoving each other around or jeering at each other."

On February 13, 1973, Plant City High School was the site of a walk-out followed by a week-long boycott by black students. According to both school officials and boycott leaders, the incident at no time involved any fighting or conflict between students and was a protest solely directed against the administration of the Plant City High School. In brief, the details of the incident were as follows: The removal of a picture of Angela Davis from the school's "Black History Week" display caused approximately 150 black students to walk out of school. City police and sheriff's deputies were summoned, and twelve students were arrested (most of the students arrested were charged with "disrupting a school function"). Four students were allegedly injured by law officers. Following the police action, a student boycott of the school was called by parents, and approximately 350 of the school's 395 black students were absent from school. NAACP representatives presented to Hillsborough County school officials a list of nine demands concerning such matters as black student participation in clubs and activities, integration of black history into the regular curriculum, provision of at least one black coach for all major sports, and transfer of several Plant City High School personnel. The parents voted to end the boycott on February 20, 1973 after they learned that action would be taken on several matters covered in their original list of nine demands. The President of the State NAACP who led both the boycott and the negotiations with school officials characterized the situation as "a problem of administration and leadership unique to Plant City High School."

Community Cooperation

In comparison to many school districts visited by Commission staff in the past, public opposition to court-ordered desegregation of the Hillsborough County schools has been slight. The protests and boycotts that have interfered with the process of desegregation in other school districts in the Nation have been conspicuously absent in the county. School representatives stated that while there were a few efforts to organize white citizens against the plan, these efforts were limited for the most part to the summer preceding its actual implementation and generally met with little success. Although many in the black community resented the "inherent unfairness" of the desegregation plan, few blacks attempted to thwart implementation of the plan. On the contrary, school officials cite the support of black citizens as a primary factor for Hillsborough County's successful school desegregation.

School board elections held last November provide a barometer of public opinion after a full year's experience with complete school desegregation. Four board members whose terms expired were up for election, and a fifth board member resigned to run for the county commission. Though some of the 18 candidates for the board highlighted the issues of busing, discipline and student disruptions in their campaign, none was elected. Three of the four board incumbents were returned to office by substantial majorities; the fourth was

defeated by a strong candidate who had narrowly missed winning in a previous school election. The candidate who resigned from the school board to run for the county commission was elected by the highest majority of any candidate for the commission.

Another indicator of the generally positive public sentiment concerning education and desegregation in Hillsborough County relates to the tenure of the superintendent. Although the tenure of school superintendents, especially those in urban districts that are in the process of desegregation, is often short, Dr. Raymond Shelton continues "to enjoy Tampa's warm and sunny climate" following implementation of Hillsborough County's sweeping desegregation plan. Dr. Shelton's business-like approach--"Nobody knows how I feel about desegregation; my personal opinion really doesn't matter; children must be educated and the law must be obeyed"--is apparently appreciated by the citizens of Hillsborough County.

Despite generally positive public attitudes toward school desegregation, some school officials expressed concern over the anti-busing pronouncements of some national political figures. They told Commission staff that such pronouncements tend to undercut the educational program and erode public confidence and respect for the system.

Some Hillsborough County school administrators are also worried about proposed legislation that would prohibit transportation of youngsters past the nearest or next nearest school. Such legislation,

if passed, said one, would "wreck the plan and amount to resegregation of the schools." He explained that school desegregation in Hillsborough is complicated by the fact that until the late 1960's, sites for schools were selected with segregation in mind and by the fact that whites have been moving to the suburbs in large numbers leaving behind a central city that is becoming increasingly black. Though new schools are no longer located with segregatory intent, they nevertheless tend to be built in the fastest growing areas, usually suburban white areas. Without the benefit of student transportation, he concluded, it would be impossible for the schools to overcome the effects of a history of residential and educational segregation.

PONTIAC, MICHIGAN

In the fall of 1971 national attention focused on Pontiac, Michigan where the ordinary yellow school bus, a major product of the city's industry, was transformed into a political symbol and a public obsession. ^{1/} The transformation followed a Federal court order which required the Pontiac public schools to desegregate and in the process transport approximately 6,000 additional students. In the months immediately preceding and following implementation of the order, people in all parts of the country read newspaper accounts of protest and watched video-taped scenes of mob violence directed against the buses and the desegregation order.

According to surveys conducted in the spring of 1972, the majority of Pontiac's teachers and school principals feel that the actual events of this turbulent period and the time that followed were not always

^{1/} Pontiac is a manufacturing city located approximately 20 miles north of Detroit. According to the 1970 Census, the city population was 85,364 of whom 22,760 were black and 4,368 were listed as "persons of Spanish Language" (a Bureau of Census designation based on sample response to a question concerning "mother tongue;" persons so identified may or may not speak English). Of the 70 communities in the Detroit area with a population over 2,500, Pontiac ranked 67th in 1969 median family income at \$9,681 for all families. 10.0 percent of all Pontiac families had an income below the poverty level in 1969. 19.3 percent of Pontiac black families had an income below the poverty level, and the comparable figure for families of Spanish Language was 6.3 percent

Although the Pontiac school district covers an area twice the size of Pontiac, approximately 90 percent of the population in the school district resides in the city. The district currently enrolls 21,097 students, 57 percent of whom are white, 38 percent are black, and 5 percent are Spanish American.

reported accurately by the news media. ^{2/} Because of the considerable publicity devoted to school desegregation in Pontiac, because of the feelings of school personnel about the accuracy of some of this publicity, and because of the significance of the Pontiac case for Northern school desegregation litigation, the Commission decided to revisit the Pontiac school system which is now in its second year of operation under the court-ordered desegregation plan.

Legal History

The court order to desegregate the Pontiac schools resulted from a suit filed in United States District Court in 1969 by NAACP attorneys representing a number of black children who lived in the city. ^{3/} The suit alleged that the Pontiac Board of Education by the manner in which it had drawn school attendance zones had effectively established and maintained a racially segregated school system in violation of the Constitution of the United States. ^{4/} Plaintiffs in the case further alleged that school officials intentionally promoted the segregation of school instructional personnel through racially discriminatory hiring, assignment, and transfer policies.

^{2/} "How Pontiac Teachers View Their Schools" and "The Views of Pontiac School Principals on the Process of Desegregation," Department of Research and Development, School District of the City of Pontiac; August 1972, (hereafter referred to as "Pontiac Teachers" and "Pontiac School Principals").

^{3/} Davis v. School District of City of Pontiac, Inc., 309 F. Supp. 734 (1970) (hereafter referred to as Davis-1970).

^{4/} At the time of trial, the Pontiac School District operated 29 elementary schools; of this number, 17 were virtually all white, six were all black, and the remaining six elementary schools were integrated.

Defendant school officials admitted that "segregation and racial imbalance exist in the Pontiac School System" and that "such a situation is harmful to the development of those Negro children who suffer there-^{5/} under." They denied, however, any official responsibility for this situation and maintained that school segregation in Pontiac was de facto, the "direct result of the segregated housing pattern within the city of Pontiac."^{6/} They also disclaimed responsibility for faculty segregation and pointed out that all teacher assignments and transfers were made in accordance with the contract that had been negotiated with the representative teachers' association.^{7/} School officials presented to the court a series of board of education policy statements dating back to 1948 "banning" racial discrimination in the operation of the Pontiac schools, and argued that they had no duty to remedy problems which they had not created.

In the six-day trial, the court reviewed the racial population patterns of the city of Pontiac and the policies and actions of the board of education which directed the development of the school system. It was shown that 10 of Pontiac's 29 elementary schools had been built since 1954 and that school officials had modified school attendance zones 12 times in the 1955-69 period.^{8/} The court found that the particular

^{5/} Davis-1970 op. cit., p. 736

^{6/} Ibid.

^{7/} Ibid.

^{8/} Ibid. p. 740

school sites selected and the attendance zones created more often than not tended to increase rather than lessen the level of racial isolation in the Pontiac School District.

On February 17, 1970, the District Court announced its judgment for the plaintiffs:

The court finds that the Pontiac Board of Education intentionally utilized the powers at their disposal to locate new schools and arrange boundaries in such a way as to perpetuate the pattern of segregation within the city and thereby, deliberately, in contradiction of their announced policies of achieving a racial mixture in the schools prevented integration....Where a Board of Education has contributed and played a major role in the development and growth of a segregated situation, the Board is guilty of de jure segregation. The fact that such comes slowly and surreptitiously rather than by legislative pronouncement makes the situation no less evil. 9/

Having found the Pontiac Board of Education guilty of de jure segregation, the court held that the school board had an affirmative duty to eliminate it. In the opinion, Judge Damon Keith noted the gravity of this duty and emphasized the need for its immediate fulfillment.

The harm to another generation of black children while awaiting implementation of 'long-range plans' to integrate cannot be tolerated, and no degree of expense is unbearable when placed alongside of the unbearable situation which exists for these Black children. The safety and well-being of children in life involves more than access routes in reaching school. 10/

9/ Ibid. pp. 741-742

10/ Ibid. p. 742.

Accordingly, Judge Keith ordered defendant school officials to submit to the court by March 16, 1970, a comprehensive plan for the complete integration of the entire school system. The order stipulated that integration was to include school personnel as well as students and was to be accomplished by the revision of school attendance zones and by busing. The integration plan was to take effect in September of 1970.

In March 1970, the Pontiac school board submitted two plans to Judge Keith. One plan called for open enrollment in the elementary schools and boundary line changes for the junior high schools. The second plan called for reorganization of elementary schools by grade, instituting schools containing a kindergarten and three other grades, and reorganizing junior high schools to contain one grade each. On April 2, 1970, Judge Keith accepted the board's second plan.

On April 12, 1970, the school board applied to the U.S. District Court for a stay of the desegregation order. The motion for a stay was denied, and on May 4, 1970, the board appealed to the U.S. Court of Appeals for the Sixth Circuit. The court of appeals stayed the decision in the case. Not until May 28, 1971, approximately three weeks after the Supreme Court rendered its verdict in the Swann desegregation case, did the court of appeals announce its decision in the Pontiac suit. At that time, the court of appeals upheld the validity of the desegregation order Judge Keith had issued more than a year earlier. ^{11/}

11/ Davis v. School District of the City of Pontiac, Inc., 443 F. 2d 573 (1971).

In affirming the district court's finding that the Pontiac Board of Education was guilty of de jure segregation, the appeals court wrote:

...although as the district court stated, each decision [of the board of education on site selection of new schools and modification of attendance areas] considered alone might not compel the conclusion that the board of education intended to foster segregation, taken together they support the conclusion that a purposeful pattern of racial discrimination has existed in the Pontiac school system for at least 15 years. 12/

The court of appeals also concluded that the segregation of the school district's administration and faculty was the result of illegal official action. Concerning the desegregation order, the appellate court held that it was the proper fulfillment of the district court's "duty to require the eradication of the effects of past and unlawful discrimination," and dismissed the school board's contention that implementation of the desegregation plan would be impractical and costly. 13/ Finally, the court of appeals remanded the case to the district court for continuing supervisory jurisdiction and granted the district court the discretion to modify the plan and grant "such other relief as may be appropriate."

On June 25, 1971, Judge Keith ordered Pontiac school officials to submit to the court by July 9 a desegregation plan that would be acceptable to both the school board and the plaintiffs in the case and that would reflect any conditions that had changed since the board submitted

12/ Ibid. p. 576.

13/ Ibid. pp. 576-577.

its plan in March 1970. The Pontiac Board of Education voted to appeal the desegregation order to the Supreme Court of the United States on July 8, 1971. Four days later, Judge Keith accepted the modified desegregation plan presented to the court and ordered the school district to implement it in September 1971. On October 26, 1971, approximately two months after the school system began operation under the desegregation plan, the Supreme Court of the United States formally denied certiorari to hear the appeal of the Pontiac Board of Education. ^{14/}

Desegregation Plan

The Pontiac desegregation plan covers all students in grades 1-9 and requires that the schools they attend have a student body that is between 20 percent and 40 percent black. At the time the plan was drawn, 33 percent of Pontiac school students were black. ^{15/}

At the elementary level integration was accomplished by grade reorganization and clustering. Most elementary schools were reorganized into either primary (K plus grades 1-3) or intermediate (K plus grades 4-6) schools, and then clustered in groups of three to five schools. Students generally attend their "neighborhood" schools for kindergarten and grades one, two and three or for kindergarten and grades four, five and six. The plan generally necessitates the transportation of students for three of their seven elementary school years.

14/ 404 U.S. 913.

15/ Pontiac's two high schools were not included in the plan since they were integrated by a change in the boundary line between the schools prior to the 1970-71 school year.

Pontiac's six junior high schools were reorganized by grade and paired under the plan. Each junior high school contains one grade and serves approximately half the school district. Thus within the Pontiac district there are two seventh-grade, two eighth-grade and two ninth-grade schools.

The desegregation plan was designed to maintain the integrity of the feeder school concept. Elementary school clusters feed into one pair of junior high schools which in turn feed into one of the two senior high schools. Although most children attend five different schools under the plan, students who enter the first grade together will generally be able to remain together through all their school years.

In this way the plan facilitates positive student cohesion and minimizes disruption of student friendships and associations.

Busing

The desegregation plan, as designed by the school administration, necessitated the busing of approximately 6,000 additional youngsters

to school each day. ^{16/} This additional busing became the focus of protest against the desegregation plan. According to school officials, the protest activities, in turn, added to the cost of the desegregation plan, hindered its implementation, interfered with the educational process, and even jeopardized the physical safety of school children.

The protest against "busing" took a variety of forms. In August 1971, the National Action Group (NAG) filed a lawsuit in Oakland County Circuit Court challenging the safety of Pontiac school transportation equipment and the competency of some of the bus drivers. Although all

16/ In 1970-71, the Pontiac school system transported an average of 3,775 students to and from school each day. The average round-trip mileage was approximately 12 miles and average round-trip time was 60 minutes. In 1971-72, approximately 9,619 students were transported each day. Average round-trip mileage decreased to 8 miles in 1971-72, and average round-trip time was reduced to 40 minutes.

Operating costs for the transportation program increased from \$357,537 in 1970-71 to \$681,581 in 1971-72. Forty-four new buses purchased on a six-year lease-purchase plan cost an additional \$81,967 in 1971-72. Non-recurring costs associated with the desegregation plan (including approximately \$60,000 for parking area security) totaled \$236,000 in 1971-72.

School officials did not have exact transportation figures for the 1972-73 school year, but estimate that they will be little different (in terms of number of students bused or actual operating expenditures) from the 1971-72 statistics.

of the Pontiac school buses had passed the State of Michigan safety inspection, the court ordered a reinspection of the buses. Only one bus was found to be in any way defective, and according to school transportation officials, the minor defect was immediately rectified and the bus was then certified "safe."

NAG plaintiffs supported their contention that some Pontiac school bus drivers were incompetent by introducing police records showing that they had committed traffic violations in the past in their personal cars. Although all of the drivers had met the State's rigorous licensing requirements for school bus drivers and although some of the drivers had served the Pontiac system for a number of years, the County Circuit Court Judge ruled that five drivers must be terminated, and ordered that monitors be assigned to observe the driving of eleven others.

Not all of the anti-busing protest was peaceful or lawful. Even today, the Pontiac school bus depot area with its high, wire-topped cyclone fence and bullet proof guard tower offers mute testimony to the costly violence that was perpetrated in the fall of 1971.

In late August 1971, ten buses were destroyed by bombs; five Ku Klux Klan members were subsequently indicted for the bombing. On the opening day of school, nine NAG followers were arrested for chaining themselves to the school bus depot gate in protest of the desegregation plan. Throughout the early weeks of the 1971 school year, drivers

moving their buses out of the depot were beset by jeering mobs who lay down in front of the buses, hurled stones through the windows, and used sharpened broomsticks to puncture the radiators.

According to school personnel, the fact that the buses were carrying young children offered no immunity from violent attack. Cars attempted to "curb" loaded buses and run them off the road. At least two buses carrying children were thus caused to have accidents. Transportation officials stated that one of the buses forced off the roadway by protestors barely missed plunging into a river.

Pontiac school board members and administrators related to Commission staff what they viewed as the "irony and hypocrisy" of the anti-busing protest. Transportation officials said that before the court-ordered desegregation plan, the bulk of complaints concerning busing came from parents who wanted their children transported to school although they did not qualify according to the minimum distance standard.

A school board member who voted to appeal the desegregation order confirmed the observation of the transportation officials, and told Commission staff that less than one percent of the people who said they were against busing were really concerned with busing; the rest were opposed to integration and "didn't want their children going to school with children of a different race." "I received hundreds of calls all day and all night long from parents who said 'I'm not opposed to integration, but....' Of the hundreds of parents who called, I don't think that more than three really were concerned with the actual facts of busing--busing was only the vehicle or issue they grabbed

on to."

School officials told Commission staff that hostility toward busing had tapered off by November 1971, and that the decline of anti-busing sentiment brought about a general improvement in student discipline on the buses. In January 1972, the Pontiac school administration discontinued the use of bus monitors. The school administration also sponsored a workshop for school bus drivers in January. Funded under the district's Emergency School Assistance Program (ESAP) grant, the workshop provided drivers with an opportunity to discuss with school administrators problems they had experienced and to share with other drivers techniques which they found to be useful in maintaining good discipline and positive student attitudes.

According to the Pontiac school administration, the transportation program has operated smoothly in the 1972-73 school year. Transportation personnel noted that unlike last year they have received few citizens complaints about busing so far this school term. As one transportation official told Commission staff: "Occasionally, a bus will run a little late and we receive calls from a few parents, but otherwise, the telephones have been quiet this year."

The consensus of teaching personnel interviewed by Commission staff was that busing did not impair the educational process nor student learning. Several secondary school teachers, however, expressed the view that student participation in extra-curricular activities had suffered because of the limited number and inconvenient scheduling of activity buses.

The principal of an elementary school located in a predominantly black section of Pontiac related to Commission staff how he encountered an "unexpected wrinkle" in the busing program. The principal said that after the busing program had been in effect for about a week, the white students started to "flow out into the community" when they alighted from the buses at school in the morning. The students would go to the homes of their new black classmates in the area and walk back to school with them. Some of the black students decided to "reciprocate" and insisted on riding "home" with their white friends in the afternoon and then catching a late school bus back to their own community. Although the children were admonished, some continued the practice and the principal and his staff "finally surrendered to the power of friendship."

Most of the students interviewed by Commission staff generally had favorable comments about riding the bus. A few students expressed dissatisfaction with some aspect of busing but nevertheless said that they liked the school they were attending. One black junior high school student, for example, said she would rather walk to school. When asked why, the student replied, "I hate the ride; it's not the bus, it's the roads; I hate all those bumps!"

However well disposed Pontiac students may be to riding the bus to school, the Michigan state legislature modified the State student

transportation allotment statute after Pontiac had implemented its desegregation plan by adding a provision that "No appropriations allocated under this act for the purpose of covering transportation costs or any portion thereof shall be used for the payment of any busing to achieve a racial balance of students within a school district or districts." ^{17/} Pontiac school officials are not certain whether the act applies to transportation necessitated by their desegregation plan since the plan does not involve racial balance, but elimination of de jure segregation. They state that if the act is held to apply to Pontiac it will damage the financial condition of the district and effectively penalize the school system and students for obeying the law.

Student Enrollment

The year before the desegregation plan went into effect (1970-71), the Pontiac school district operated 29 elementary schools, six junior high schools and two senior high schools, serving a total of 23,807 students. In the first year of desegregation, school enrollment decreased by approximately 2,500 students. The decrease in enrollment represented for the most part the withdrawal of white students. The proportion of minority students in the Pontiac system increased from 33 percent black and 4 percent Spanish American in the year before desegregation to 37 percent black and 5 percent Spanish American in the first year of desegregation. According to school officials, enrollment stabilized as the Pontiac schools began the second year of

^{17/} "State School Aid Act," Ch. 7, Sec. 79 (1972).

desegregation. Currently, 21,097 students attend 23 elementary schools, six junior high schools and two senior high schools; the racial distribution of the student body changed little from last year--57 percent of Pontiac's students are white, 38 percent are black and 5 percent are Spanish American.^{18/}

Although the desegregation plan stipulated that all schools were to have student enrollments between 20 percent and 40 percent black, black students presently make up more than 40 percent of the student population in seven elementary and four junior high schools. While the discrepancies are nominal in the junior high schools (43.2 percent highest black enrollment), black enrollment exceeds 48 percent in two elementary schools and is above 45 percent in four others. School officials state that this deviation from the court-approved standard resulted from the unanticipated withdrawal of white children at the start of the desegregation program.

School officials cannot precisely account for the approximately 2,500 students who left the Pontiac system at the time of desegregation. They state that a large number of children were enrolled in established private and parochial schools in the Pontiac area and that some parents moved to neighboring communities outside the Pontiac school district.

^{18/} All enrollment statistics were supplied by the Pontiac School District administration. The school district variously uses the terms "Spanish American," "Spanish Surnamed," "Latin American and "Latin."

When the desegregation plan went into effect, a number of so-called "freedom schools" were opened by groups opposed to busing. According to school officials, the fluctuating enrollment in these non-accredited schools never surpassed 300, and none of the schools is operating this year. Some parents who enrolled their children in the "freedom schools" last year subsequently returned them to the public school system. An eighth grade student who attended a "freedom school" last year told Commission staff that she prefers the "regular school" she is currently attending because she feels that she is learning more. The only advantage in attending a "freedom school," she confided, was that there were no rules against student cigarette smoking as there are in the public schools.

In the 1971-72 school year, the Pontiac Board of Education filed 29 complaints with the Juvenile Court concerning children who were not attending an accredited school and who were in violation of the State compulsory attendance laws. Pontiac school staff have not filed any such complaints this year and believe that few parents, if any, are violating the school attendance laws.

Financial Problems

Like many other school districts across the country, the Pontiac system is experiencing serious financial problems. The school administration averted a projected budgetary deficit of \$2.5 million for the 1971-72

school year by making major reductions in the scope and quality of educational services.^{19/}

Although the cost of the busing required for desegregation contributed to the financial problems of the Pontiac School District, school officials cite two other factors as being more responsible for the district's financial plight. They point out that there has been a drastic reduction in the amount of State aid given to the district (from \$220^{20/} per pupil 1969-70 to \$160 per pupil in 1972-73). The effect of this cutback in aid was magnified by inflation and increased school costs. School costs were pushed up almost \$1 million per year between 1968 and 1971 by annual increases in the cost of living that averaged 5 percent.

^{19/} The major cut-backs in school district activities to implement the \$2.5 million reduction were as follows:

1. The instructional day for pupils in junior high schools was reduced from 6 to 5 hours.
2. Supporting services to the instructional program were reduced--teacher consultants were eliminated, counselors were reduced from 28 to 20, elementary librarians reduced from 15 to 9, elementary music teachers from 16 to 10, elementary physical education teachers from 16 to 10.
3. Eight elementary schools were provided a half-time principal instead of a full-time principal.
4. The work year for most of the administrators was shortened by 8 to 10 days.
5. There was a cut in expenditures for instructional supplies of about 33 1/3 percent.
6. Levels of housekeeping and maintenance in the schools were lowered.
7. Extra-curricular activities and athletic programs were curtailed.
8. In-service training for the teaching staff and curriculum development activities were reduced.

^{20/} The reduction in State aid resulted from (1) legislative modification of the State-aid formula, and (2) an increase in Pontiac's assessed property valuation (a factor in the State-aid formula used to measure a local school district's ability to finance the education program).

Although the school district lost approximately 2,500 students from the system in 1971-72, the loss was matched by a corresponding decrease in expenditures because of reduced enrollments and, according to school administrators, "did not add to the financial problems faced by the district."

While the reductions in school programs and services made in 1971-72 prevented a financial crisis that year, the Pontiac School Board recognized the need to strengthen the fiscal base of the schools for future years. The board was informed by the superintendent that even if the reduced level of school programs and services were continued into the next three years, the system would incur deficits ranging from \$1,707,325 in 1972-73 to \$2,929,511 in 1974-75. If, on the other hand, the school district were to restore programs and services which had been reduced in 1971, the projected deficits would range from \$3,153,224 in 1972-73 to \$4,492,690 in 1974-75. On the basis of these gloomy projections, the Board of Education voted in February 1972 to hold a special election in April on a proposal to raise the school district tax rate by 5.55 mills over a three-year period.

The school system's campaign to persuade the public of the district's budgetary plight failed, and on April 24, 1972 voters rejected the school tax increase proposal by better than a 2 to 1 margin. School officials immediately began mapping out plans to reduce further the level of school expenditures.

Although school board members and administrators believe that anti-busing sentiment contributed to the defeat of the school tax issue, they express doubt whether the measures would have passed even if the desegregation plan had not been an issue. During the campaign, school officials constantly pointed out that the cost of transportation for desegregation constituted less than 8/10 of a mill of the proposed 5.55 mill levy and that regardless of the outcome of the election, busing would continue under the court order. School officials believe that inadequate public understanding of educational finance--"when citizens see new schools such as the multi-million dollar Human Resources Center or the Crofoot school they automatically assume that we have all the money we need"--and a nation-wide tax payers' revolt caused the defeat of the school tax issue.

Quality of Education

Having survived the "busing controversy" and having learned how to operate a school system on a "bread and water" budget, Pontiac school officials are now focusing their attention on the serious academic problems of the district. School officials state that these problems, manifested in part by a high drop-out rate and low achievement scores, are not the result of desegregation but are problems of long standing in the school district.

For many years, large numbers of Pontiac students have been dropping out of school before high school graduation. In the school

year 1968-69, 1,619 pupils were enrolled in the ninth grade in the school district. Between the ninth grade and graduation time, 443 or 26 percent of those students had dropped out of school. Although the drop-out rate for Pontiac's "class of 72" was extremely high, it was not unusual. Ten years earlier, an identical percentage of students failed to graduate with their class because they had dropped out of school before completing the 12th grade.^{21/} While the school system's holding power does not differ markedly for white and black students, a substantially higher percentage of Spanish American students drop out of the Pontiac schools before completing the 12th grade.^{22/}

Graduation from high school, however, does not assure Pontiac's young people success. Follow-up studies conducted by school officials reveal that approximately only one of every three students who graduated from Pontiac high school in 1971 enrolled in a two or four-year college. The same studies document the fact that a significant proportion of Pontiac high school graduates who are not receiving post-high school training are unemployed. More than 8 percent of the 1971 graduates who responded to the survey were unemployed, and the corresponding figure for the 1970 graduating class was 13 percent.

^{21/} Statistics provided by the Pontiac School District Administration. The average drop-out rate for the intervening graduating classes (1963-1971) was over 24 percent.

^{22/} The drop-out rate for Pontiac students in grades 9-12 in 1971-72 by racial or ethnic group were:

White	11.96 percent
Black	12.22 percent
Latin American	17.44 percent

A number of Pontiac high school students interviewed by Commission staff openly expressed dissatisfaction with the quality of education being provided by the public schools. They said that the schools were not preparing many students--white students as well as black and Latin students--for further education or jobs. One student observed: "They tell us 'stay in school, stay in school, don't drop out' Why? You can't even get a job when you graduate; about all you can do is join the Army."

In addition to grievances about "watered-down courses" and irrelevant curricula, some Pontiac high school students expressed frustration with the counseling system, which they believe forces some students to take courses that are not suited to either their interests or ambitions. One black high school senior who holds a B-plus average and intends to go to college recounted the problem he encountered when he tried to sign up for a college preparatory math course. The student said he was permitted to take the math course only because he "insisted on it and refused to back down."

The sentiments students conveyed to Commission staff concerning the academic program in Pontiac's high schools accord with the general findings of a survey of attitudes of junior high school students conducted by Pontiac school officials in 1971-72. The survey documented that "positive attitudes toward school decline as the student continues in school...." The study continued:

A certain amount of this can be traced to the student perception of the curriculum as being irrelevant to their needs and aspirations. This factor is suggested to some extent by the finding that relatively few students felt they could select assignments of interest to them. 23/

Pontiac elementary school students apparently feel more positively about the education they are receiving than their junior and senior high school counterparts. In 1971-72, 3,100 elementary school children were polled by school officials on a variety of subjects. One of the survey findings was that "above 80 percent of the later elementary children and above 90 percent of the early elementary students thought that they were "learning a lot at school." 24/

There is a dramatic disparity, however, between elementary students' perceptions of how much they are learning in school and objective measures of actual student academic achievement in the district. For the last three years, Michigan has conducted a State-wide educational assessment program to measure the achievement levels of 4th and 7th grade students in the basic skill areas of reading and mathematics. For all three years, the composite achievement scores for the Pontiac school district have ranked at or below the fifth percentile. In the 1971-72 school year, the Pontiac schools ranked in the first percentile when compared

23/ "Summary and Final Report of the Research--Evaluation Component of Pontiac's Emergency School Assistance Program, 1971- 72," Department of Research and Development, School District of the City of Pontiac; November 1972, p. 14.

24/ Ibid., p. 15.

with all other schools in the State. According to school officials, Pontiac's low achievement scores cannot be attributed to desegregation. They point out that academic achievement in Pontiac has been on the decline for the last decade and that the difference in scores between 1970-71 and 1971-72 (the year before the desegregation plan and the year of its implementation) was not statistically significant.

Although Pontiac school officials state that it is too soon to determine the exact effect of desegregation on academic achievement and educational programs, surveys of Pontiac teachers and principals showed that the majority believe that in the long run desegregation will enhance the quality of education for all children in the school district. ^{25/} Several Pontiac residents told Commission staff that desegregation has already had a beneficial educational effect in that it had exposed the academic deficiencies of the school system and generated community concern. As the leader of one civic organization put it:

Desegregation helped the community to see what a poor job the schools were doing. Before desegregation, most people took education for granted; white parents, especially, assumed that their children were getting a good education. After desegregation, white parents saw that their children, like most of the Black and Latin children, were not being properly instructed and were academically stunted. The concentrated publicity on the schools made many people think; and more and more parents are coming to realize that 'equality of educational opportunity' doesn't mean much if the educational opportunity is severely limited.

25/ "Pontiac Teachers" and "Pontiac School Principals," op. cit.

To overcome the system's academic difficulties, Pontiac school officials established certain educational priorities and devised specific new programs for the 1972-73 school year. To achieve the goal that "all children make at least a year's progress in reading during each school year," the school administration implemented a "Plan for Improving Reading Achievement in Elementary Schools." The comprehensive plan, now in effect in all Pontiac elementary schools, covers virtually every aspect of reading from diagnosis to evaluation and includes strategies to inform parents of things they can do to assist their children in reading achievement.

Basic skills achievement is also being emphasized on the secondary level. Administrators and teaching personnel are currently revising curricula and are establishing learning goals with specific performance objectives for the various subject matters. School officials believe that these improvements will enable teachers to diagnose more effectively individual student learning problems and therefore provide more relevant instruction.

In the 1972 school year, the Pontiac school district also opened its Human Resources Center, an innovative elementary facility. Billed by school officials as "America's first joint use facility of its kind," the Center serves not only as a model elementary school but also as a dispensary of a wide range of community services. Approximately 1,850 pupils are enrolled in the center's "continuous progress" instructional program. The children are instructed by teaching teams and are .

encouraged to explore the "world of learning" in the facility's various "interest" and "activity" centers. The Human Resources Center also functions as an educational laboratory where innovative materials and teaching techniques are developed for dissemination to other schools in the district.

Since October 1971, the Pontiac school district has received approximately \$350,000 under the Emergency School Assistance Program to carry out educational programs that were occasioned by desegregation. In December 1972, school officials applied for a \$1.5 million grant under the Emergency School Aid Act (ESAA) ^{26/} to continue human relations activities and bolster the academic program. A major priority in the ESAA grant proposal is the expansion of educational services for Pontiac's Latin American student population. School officials state that the current bi-lingual program is minimal and fails to meet the needs of many Latin students. They believe that the "inordinately" high drop-out rate of Latin students can be decreased and their reading scores raised if the new services are financed and implemented.

Student Incidents

According to the superintendent, the Pontiac system is experiencing greater tranquility in the 1972-73 school term than in any of the previous five school years. He stated that this tranquility is manifested

26/ The Emergency School Aid Act (ESAA) established by Congress in 1972 as the successor to the Emergency School Assistance Program (ESAP), provides financial support for elementary and secondary school programs designed to eliminate segregation and discrimination.

by fewer student demonstrations and disruptions and greater communication and understanding between students and school personnel. Although most school personnel told Commission staff that there were still significant problems of student discipline to be resolved, nearly every teacher and administrator interviewed concurred with the superintendent's overall assessment.

The relative peacefulness of the 1972-73 school term sharply contrasts with conditions at the beginning of the 1971-72 school year. In its February 29, 1972 report to the Federal District Court on "The Status of School Operations," the Board of Education stated:

During the first six weeks of the school year, there was a high volume of incidents involving student altercations, assaults on students, serious threats, muggings, and extortions. The greatest number of these incidents occurred in the two ninth grade junior high schools and the two senior high schools although there were sporadic reports from other junior high schools and elementary schools of such incidents. There were 21 students who were taken to their family physician or the hospital for examination following involvement in such an incident during the first three weeks of the school year.

The number of incidents, however, had dropped to a normal level by December 1971 and did not increase significantly during the remainder of the school year. The total number of students suspended from school in 1971-72 was 179, only a slight increase over the number of students suspended the year before the desegregation plan went into effect (172).

School board members and administrators told Commission staff that the number and seriousness of student incidents in 1971-72 was "blown up out of all proportion to reality" by opponents of desegregation and sensational press reporting. In November 1971, Pontiac school officials released a study concerning school incidents which had been reported to the administration by the National Action Group. All of the incidents had been thoroughly investigated by the principals of the various schools where they were alleged to have taken place. Of the 120 incidents reported by NAG, school officials found that only 42 were supported by the facts.

According to Pontiac school administrators, adults rather than students were responsible for most of the discipline and safety problems of the 1971-72 school year. One school official stated: "Some of the anti-busing people went berserk; they flouted the law, destroyed property, attacked other adults and assaulted some students. Fear spread like an epidemic and tension was rife in the schools. Considering all the hatred and violence the children were exposed to, it is easy to understand why there were student incidents--in fact, it is beautiful that there were so few." The same school official noted that the drop in the number of student incidents coincided with the decline in adult protest against the desegregation plan. "Nevertheless," he continued, "children do remember and it may take several years before they completely overcome all the ugliness they have learned from their elders."

In an interview with Commission staff, one of the leaders of the National Action Group alleged that student violence was rampant in the Pontiac public schools; "that 99.9 percent of the students are in constant fear of physical attack"; that school officials "cover up" the violence; and that "the news media go into the schools and concentrate on children who are acting well but don't stay to see children beaten up after school." These views contrast sharply not only with the statements of school personnel, but also with the sentiments expressed by Pontiac students who were interviewed by Commission staff.

During the visit to the Pontiac school system, Commission staff interviewed administrators, teachers, and students at Pontiac Central High School where a 16-year-old black student had shot and wounded five other students on November 27, 1972. ^{27/} The shooting was extensively reported by the national news media and some of the reports intimated that it was racially motivated.

School officials said that they had no explanation as to why the shooting took place. They noted that in terms of student relations, the current term was the best that Central had experienced for several

27/ Of the students wounded, four were white and one was black.

years and cited the responsible reaction of the students to the shooting as an indication of the positive state of student relations at the school. School personnel stated that after the shooting, students were held in the classes they were attending until police officers were able to conduct a thorough search of the building for the assailant. When students were dismissed, "they left the school calmly--so calmly in fact, that some of the television camera men who came to cover the story expressed 'dismay' that they couldn't get any footage."

Central High School administrators contrasted the quiet student reaction to the incident with the violence that followed a similar shooting in October of 1970 when several Central students were wounded less than a block from the school. Following that shooting, scattered racial fighting broke out and both of Pontiac's high schools had to be closed for the remainder of the week. School personnel noted that not only was there no disturbance after the 1972 shooting, but also that the absentee rate for the day following the incident was approximately 30 percent and declined the next day to 17 percent, only slightly above normal.

Central High School students selected a group of fellow students to represent them in media interviews concerning the shooting. During the visit to the Central High School, Commission staff interviewed a number of students, including three of the students who had been

selected by their peers. The students said that they resented the widespread publicity given the shooting and felt that the "media image" of Central as a "racially troubled school" was inaccurate and unfair. They insisted that "students get along well with each other at Central. The shooting was the act of one person, yet all of us are labeled." "People really don't care about how we feel or what our problems really are," one of the students bitterly remarked. "If they cared," he continued, "they would see that the level of education was raised so that we could go on to college or get a job after we graduate."

Current Community Sentiment

Despite the conflict and the controversy, school desegregation is now an accomplished fact in Pontiac, Michigan, and the school board members interviewed by Commission staff generally agreed that most parents have come to accept desegregation and busing. As one board member put it: "There are still some diehards left, but time, experience and exposure has helped most parents to overcome their fears."

General community acceptance, however, has not eliminated criticism, and many parents and school personnel told Commission staff that the task of school desegregation could and should have been handled differently. While the criticism reflects widely divergent attitudes toward desegregation, they share a common focus--the role of educational leadership, especially the role of the Board of Education and the Superintendent of Schools.

A NAG leader stated that school officials had "an obligation to the people to take a leadership role in refusing to implement the court order." "They should have stood up like men and faced jail or fines." The NAG leader told Commission staff that the motto "Let's Make It Work" which the city-wide Pontiac PTA originated and the school system later informally adopted was "harmful to the children." The motto should have been "Let's Unify and Fight This Together" since "there is nothing in God's law or in the Constitution that says integration must be forced upon a Nation of people."

A community leader also criticized the Board of Education and top school administrators, but for an entirely different reason. "The school board knew it was in the wrong, but refused to admit it, even after all the court appeals had been exhausted; the board misled the public." "The community would have been more cooperative," he continued, "if the superintendent had said 'we are desegregating because it is the right thing to do for the children.'"

One school principal complained that "no direction is worse than bad direction." He stated that the school board issued an order to personnel to "take no stand on the desegregation issue" and that many staff members obeyed the order. "Kids sense attitudes," he continued. "How can you expect them to be positive about school or integration when teachers and principals are told not to express positive feelings?"

Yet, parents and school personnel told Commission staff that most students did in fact react positively toward desegregation. They further stated that it was the children rather than school board members or high-ranking administrators who provided much of the leadership necessary to surmount the busing crisis.

Some students at Jefferson Junior High School (a seventh grade school) who felt that because "we are the ones being bused we should be the ones to say how we like it" formed an organization in September 1971 known as "The Group". One of the purposes of "The Group," according to its president, was "to show the positive side of integration and that we like it." "The Group" adopted the motto "We Can Make It Work" and put together a show of songs and skits for presentation to other schools in the city and the area.

In the 1971-72 school year, several thousand Pontiac students joined "The Group" and pledged adherence to the club's six simple rules. The rules were:

I will look at my fellow students as individuals and not judge them by their skin color.

I will think before fighting and try to use a kind word or humor.

I will be proud of myself.

I will ask questions instead of making wild guesses about people and things that they do.

I refuse to exaggerate incidents. If I cannot tell it like it is, I will not tell it at all.

I sincerely pledge that I want to and can make it work.

According to school officials, "The Group" was not continued into the 1972-73 school year because the students who started the organization felt that it had served its purpose and had accomplished its goals.

School officials told Commission staff that "The Group" had been instrumental in helping many Pontiac residents to overcome their anxieties concerning desegregation. As one school official put it: "'The Group' showed many people how foolish the commotion over busing really was. The kids in the club proved their motto--'We Can Make It Work.' And most people now believe that we can."

WINSTON-SALEM, NORTH CAROLINA

On Wednesday, March 15, 1972, the chairman of the Forsyth County Board of Education testified before a congressional subcommittee on school busing. In noting difficulties encountered by the district in desegregating its schools through the use of transportation, he stated that the "principal problem" for his district involved a "crisis" of public confidence in the ability of local, State, and National Government to deal fairly and uniformly with a national issue of major importance to the future of public education and the future of the nation itself."^{1/}

He continued: "This crisis of confidence is compounded by confusion and uncertainty as to what the Federal courts actually require in the realm of public integration, as to the will and intent of the Congress, and as to the unreal distinctions between school systems in the South and school systems in the North."

Such confusion exists in other school districts visited by Commission staff. In Forsyth County, it has left up in the air the final status of the district's present desegregation plan while supporting the beliefs of some that a neighborhood school policy may be resurrected, whatever the cost to school desegregation. Most observers interviewed by Commission staff felt that generally relaxed

^{1/} Statement of Alan R. Perry, Chairman, Winston-Salem/Forsyth County Board of Education, School Busing, Hearings before Subcommittee No. 5 of the Committee on the Judiciary, House of Representatives, 92nd Congress, Part 2, p. 902 (March 15, 1972).

relations exist among students in the schools and that community and staff pride in the quality of education offered in the district is strong. But the district meanwhile remains in court while conflicting signals from the courts, Congress and the White House over the extent to which school districts throughout the Nation must desegregate, stir both hope and resentment in various segments of the county.

The Winston-Salem/Forsyth County School District had a student enrollment in September 1972 of 46,397 (30 percent black), a slight decrease from the 47,757 (29 percent black) of September 1971.^{2/}

The majority of black students in the system live in the northern and eastern parts of Winston-Salem. Of 55 staff positions in the school district's central office, ten including one of the executive staff are occupied by blacks. School officials said that they feel race relations among teachers and school administrators are "good."

History of Segregation

Schools in the Winston-Salem/Forsyth County School District were traditionally segregated by law. In 1957, one black student chose to attend formerly white Reynolds High School under a free transfer policy implemented after the Brown decision of the United States Supreme Court.^{3/} From 1958 to 1962, no more than 44 black students

^{2/} Statistics made available by the Office of the Superintendent.

^{3/} Brown v. Board of Education of Topeka, 347 U.S. 483 (1954).

attended at any one time formerly all-white schools. Following enactment of the Civil Rights Act of 1964, the district adopted a freedom of choice plan, one means of desegregating provided by the Department of Health, Education, and Welfare (HEW). HEW approved the district's plan of operation during this period. By 1965-66, however, only about 1,246 black students attended formerly white schools. From 1967 to 1970, some 3 percent or less of the total black enrollment attended predominantly white schools. The total white student enrollment during this period was about 36,000.

Litigation

On October 2, 1968, the NAACP Legal Defense and Educational Fund, Inc., filed a suit in the United States District Court for the Middle District of North Carolina against the Winston-Salem/Forsyth County Board of Education, alleging that it was operating a racially segregated school system.

In June 1970, the court found that of the 67 schools in the district, 15 were all black, seven were all white, and of the remaining schools, 31 had less than 5 percent of the minority race. ^{4/} The court ruled, however, that despite the existing segregation, school attendance zones had been drawn in good faith and without regard to racial considerations.

^{4/} Scott v. Winston-Salem/Forsyth County Board of Education, 317 F. Supp. 453 (M.D. No. Ca. 1970).

The district court therefore approved with alterations the board's plan for further desegregation for the 1970-71 school year and said that with such a modified plan, a unitary school system would be created despite the continued existence of some segregated schools. ^{5/} In September 1970, both parties appealed the district's ruling to the Fourth Circuit Court of Appeals.

Following the decision of the Supreme Court in Swann v. Charlotte-Mecklenburg, ^{6/} the Court of Appeals in June 1971 vacated the lower court's order and remanded the case to the district court with instructions to

^{5/} The board's plan retained geographic zoning and the minority transfer policy (black or white students could transfer to a school where their race was in a minority) but with certain modifications allowing priority to majority-to-minority transfers and increasing the racial "balance" of several schools.

The alteration in the board's transfer policy stipulated that a pupil whose race was in a minority in the school to which he was assigned under the plan of assignment would not be allowed to transfer to a school in a zone where he would be in a majority racial enrollment.

The racial composition of Diggs, Kimberly Park, and Cook (Carver Crest)--all-black elementary schools--was ordered changed.

The board was also ordered to create "innovative" programs designed to increase racial contact of the students.

^{6/} Swann v. Charlotte-Mecklenburg Board of Education, 402 U.S. 1 (1971). The district court was directed to require use of all available techniques for desegregation, including pairing or grouping of schools, creation of non-contiguous (satellite) attendance zones, restructuring of grade levels and the transportation of pupils. Such techniques were to be used to "achieve the greatest possible degree of actual desegregation."

order a new desegregation plan for the 1971-72 school year that would comply with Swann. The district court was warned by the appellate court that if it approved a plan achieving less actual desegregation than could be achieved under an alternative proposed plan, it must find facts that made impracticable the achievement of a greater degree of integration.

In July 1971, the school board submitted, under protest, a "racial balance" plan which the district court approved. The board also submitted a resolution urging the district court to reject the plan, arguing that although the plan was "the least expensive, least disruptive, least burdensome and most equitable plan" to accomplish racial balance in district schools, it was not a "sound or desirable plan" because the residential pattern of Forsyth County made execution of the plan impossible without "massive, expensive" busing.

The district court nonetheless approved the plan on July 26, 1971. On August 23, 1971, the board applied to Chief Justice Burger, as Circuit Justice, for a temporary stay of both the Circuit Court's latest order and the subsequent order of the district court. On August 31, 1971, Chief Justice Burger denied the board's application, and two months later the full Court refused to review the case. ^{7/}

7/ The Chief Justice cited the tardy filing of the application for stays, the imminence of the start of the school year and the failure of the school board to describe explicitly the burdens of transportation of students as the reasons for denial of the stays. Together with these reasons, Justice Burger also wrote an in-chambers opinion explaining his view of the applicable law. It appeared to the Chief Justice that the district court and the school board had misread the Swann opinion. He suggested that the board was wrong in believing it had been required to achieve a racial balance in all schools. He pointed out that the Swann opinion had expressly negated any requirement that all schools reflect the racial composition of the student population.

Two months later, in light of the Chief Justice's opinion, the district court gave the board the option of submitting by March 15, 1972, a plan for 1972-73 that would reduce the total amount of busing in the school system while still remaining faithful to Swann. In June 1972, however, it rejected an ensuing board proposal as violating Swann requirements. On August 17, 1972, the board voted 6-2 to appeal to the Fourth Circuit Court to limit that aspect of the plan approved by the district court in July 1971 which requires busing about 8,500 students in grades 1-6 on Interstate-40, a four lane east-west expressway in the county, and on U.S. highways 52 and 421. The board argued that traffic conditions on these busy highways posed a danger to loaded school buses traveling the legal maximum of 35 miles per hour.^{8/}

The board's plan would change the present grade structure (4-2-2-2-2) to a one through six grade arrangement. Schools with grades one through six would revert to neighborhood schools. Secondary schools would remain desegregated.

The Legal Defense Fund, which supports the present plan, charged that the board's new proposal would reduce integration by 50 percent or more and would create some seven or eight black elementary schools and an equal number of white schools. A date for court hearing of the case has not yet been set.

^{8/} Some citizens and students meanwhile submitted a petition to the North Carolina State Legislature to have an "S" curve on I-40 corrected.

Busing

School staff members told Commission staff that in order to implement court requirements for desegregation it is necessary to cross-bus students on I-40 and the two other four lane highways. As noted, approximately 8,500 students (30 percent of whom are black) are presently transported on these routes. ^{9/} The shortest bus ride on these expressways, Commission staff was told, is eight miles or approximately 16 minutes and the longest ride is 16 miles or 32 minutes.

The school staff reported that it has asked local trucking companies to caution their drivers about the presence of school buses on I-40, and special blinking lights have been installed on the buses. School buses have reportedly been involved in only one or two minor

9/ Black students are transported on I-40 and other expressways to primary schools, including grades 1-4, and secondary schools, consisting of grades 7-8 and 11-12. They remain in their neighborhoods for grades 5-6 and 9-10.

White students are transported to inner city elementary schools for grades 5-6 and secondary schools for grades 9-10. They remain in their neighborhoods for grades 1-4, 7-8 and 11-12.

Black students are therefore bused out of their areas for approximately eight of their twelve school years while white students are bused out of their neighborhoods for four of their twelve school years.

accidents without injury on the expressways since beginning use of them during the 1971-72 school year.^{10/}

Approximately 32,000 students (70 percent of the total student enrollment) are presently bused throughout Winston-Salem/Forsyth County, a slight decrease from the 32,220 bused in 1971-72, the first year of the plan. Nearly 10,000 of the 14,000 black students in the district are transported, as are approximately 22,000 of the 32,397 white pupils.

Total operational costs for busing in 1972-73 were expected to amount to \$1,087,000, of which 90 percent was reimbursable by the State, with another \$335,000 allocated for the purchase of new buses.^{11/} In 1971-72, total operational costs had been \$1,052,000 (again 90 percent was reimbursed by the State) and about \$337,600 was used to buy new buses. Total operational costs for 1970-71 were \$530,678, and an additional \$118,288 was spent to buy new buses. Transportation costs therefore appear to be gradually stabilizing after an initial increase with implementation of the desegregation plan in 1971-72. Currently, 374 buses (47 of which are new with another 45 to be replaced this year) are in service as compared to 366 last year.

^{10/} Interstate highways and other controlled access routes are approximately twice as safe as other road systems, according to the Office of Highway Safety, Department of Transportation. Better design standards, the absence of intersections, and better sight distances are among the factors which account for nearly 50 percent fewer accidents on controlled access highways.

The National Safety Council's latest statistics show that while there are 2.4 fatalities per 100 million miles of travel in private automobiles and 2.9 in airplanes, the figure for school buses is .06.

^{11/} Statistics made available by the Office of the Superintendent. Purchase costs of buses are not reimbursable, according to school staff. Busing for desegregation costs amounted to approximately 1.8 percent of the total district's education budget for 1972-73.

School officials said that bus rides in Forsyth County range from three minutes to one hour and twenty minutes. The average ride distance for both the 1972-73 and 1971-72 school years is 12 miles or 40 minutes.

While some parents in the district maintain that busing is a waste of the taxpayer's money, school staff reported few complaints concerning busing in recent months. Some additional black and white parents have asked for special permission to have their children transported because of the lack of sidewalks on some streets. (North Carolina State law provides free transportation for students who live more than 1 1/2 miles from the nearest school). One secondary school principal said that children are probably safer on buses, as accidents involving children walking to and from school occur every year.

Student discipline on buses has not posed a major problem since desegregation, according to school officials. Any misbehavior on buses usually occurs between older and younger children, not between whites and blacks. Buses tend to be "all-white" or "all-black" because of residential patterns. Monitors were used on some buses when the plan was implemented but they are no longer considered necessary.

To ensure that extracurricular activities are not limited by bus schedules, an afternoon activity and athletic bus is available to take students home from each school around 5:30-6:00 p.m. when after-school activities normally end. School staff said that some students may choose not to participate in the activities, however, because of the inconvenience of arriving home so late. But they noted that most students who wish to participate in extracurricular activities are not prevented from doing so by lack of transportation.

Students interviewed by Commission staff said they had little concern about riding the bus on a highway. They enjoyed being with their friends on the buses. One student at Atkins High (9-10) said his parents would have to take him to school if a bus were not available. Several black students objected to busing and attending integrated schools on the grounds that they lose their "identity" in "white-oriented" schools. Students generally agreed, however, that attending integrated schools "prepares you for some of the social adjustments in life." Black students said that their parents believe that "busing is necessary to receive quality education."

Disruptions and Racial Incidents

The Commission's first report on the district noted very few racial incidents in the schools during the first months of desegregation. In April 1972, an incident occurred at West Forsyth High School reportedly involving an argument between a black male student and white female student. The argument resumed after school in the parking lot and two male students, one black and one white, began fighting. Tension remained high for the next two days and the principal temporarily closed the school. Five black students and two white students were suspended. There have been no incidents reported at the school since and students are getting along fine, school officials said.

Another interracial incident occurred in May 1972 at Anderson High School when a black male student reportedly struck a white male student with a chair in the cafeteria, and a fight ensued. When TV cameras were then brought to the school, fighting erupted again and lasted approximately

10 minutes. The next day, several black girls allegedly assaulted some white girls in the restrooms. The principal dismissed the students early and closed the school for two days. Thirty students were suspended for fighting and disobeying orders. Two white male students and four black female students were expelled for the remainder of the year, and one black student was not allowed to return to the school.

In September 1972, 30 white students participated in an ineffective bus boycott at a junior high school. The students walked out of the school and the neighborhood while an activity bus followed. Twenty-five of the students soon returned to the school on the bus, but the other five refused to return and were suspended. School officials said they were unable to determine the cause of the boycott.

Another new development since the Commission's first report was the filing on May 10, 1972, of a suit against the district by the Legal Aid Society and American Civil Liberties Union which charged that school disciplinary policies were discriminatory against blacks. ^{12/} That case is also pending.

In 1971-72, 2,564 students were suspended with 1,800 of them suspended more than once. The most common offenses were truancy, drug abuse, smoking and fighting. The Superintendent's office said that expulsion figures for 1971-72 were not available.

^{12/} The law provides that school officials should be allowed to suspend or exclude children for misbehavior in school for substantial periods of time without providing an alternative means of education. The suit calls for due process in disciplinary procedures and an end to present suspension and expulsion policies which allegedly vary from school to school.

School officials conceded that suspension rates have remained about the same this year and that more black students than white have been suspended. They attributed the high black suspension rate in part to the insensitivity of some teachers to students of different races or socio-economic backgrounds. A school board member agreed that teachers were not adequately prepared to teach an integrated student body. But teachers' attitudes are reportedly improving thanks to various in-service training and human relations programs and growing familiarity and ease with all students.

A policeman is attached to all secondary schools as liaison officer with the schools, and he works with students who pose disciplinary problems of all kinds, including drug abuse. Student monitors are used in some schools as well.

Despite what were considered the "minor" incidents of last year and the Legal Aid suit, school officials reported a better start for the schools in September 1972 than in the previous year. One principal said that "young people are slowly learning they can have a decent relationship without living on a battleground." A white boy at one junior high school said that "when you're in the 6th grade, you're afraid--blacks are bad. Later you learn that isn't necessarily so. There are good and bad blacks, just like with whites." A girl at the

same school noted that while her father hates what he calls "niggers," her mother and sister do not share his feelings, and she personally believes that her father is wrong.

Other students and staff members agreed that relations among students are generally relaxed. A high school principal referred to a fight which occurred between two members, a black and a white, of the school's football team. Whereas such a clash would have been viewed as racial previously, he observed, now it was considered simply normal misbehavior between two adolescents. "Overall," school administrators concluded, "everybody is settling down and adjusting to desegregation.

Quality of Education

Summarizing educational progress in the schools during the past several years of school desegregation, the superintendent asserted that "there is no finer tribute to the staff, teachers, and other personnel than the progress, unity and dedication to quality education emerging in 1972. From turmoil has come direction, from doubt a bold effort and from controversy has come reassessment and innovation."^{13/} "By the same token," he added, "the community has supported the schools. Volunteer workers in the schools, the Parents-Teachers Association and the Citizens' Advisory Councils have demonstrated that thousands of citizens are sincere friends of the schools."

^{13/} Report of the Superintendent to the Board of Education and the citizens of the Winston-Salem/Forsyth County, North Carolina.

Winston-Salem/Forsyth County received \$1,170,500 in Title I funds for the 1971-72 school year, with about the same amount expected to be forthcoming in 1972-73. These funds were concentrated on pre-school and early elementary education, with emphasis on reading at the elementary level. Approximately 330 children in the district are enrolled in pre-school Title I programs, and 1,800 elementary students are enrolled in specific reading programs, according to the Director of Federal programs.

The county also continues to benefit from other Federal programs such as the Emergency School Assistance Program (ESAP) and the Model Cities Project. ^{14/} Some \$250,000 in ESAP funds were made available in the 1970-71 school year for such activities as human relations and in-service training programs for teachers. Seven guidance counselors were provided along with school-community specialists and aides, including eight administrative assistants on the high school level and resource teachers to assist the faculty in meeting all desegregation requirements. Another \$630,450 was granted in 1971-72, and when that allocation expired in August 30, 1972, a continuation project involving \$337,000 was approved through January 31, 1973.

14/ The Model Cities Project is currently providing a host of services for children from low income families and is operating in some of the Title I schools. One of the programs, Knowmobile, involved the use of nine mobile units to help 432 students in Model Cities target areas last summer. Students worked in a "casual" atmosphere in the trailers with the latest learning "hardware" for improving reading ability.

As for curriculum and teaching innovations in the schools, many have flourished under desegregation. The superintendent noted that "a great surge of innovative elementary school programs has appeared in the last decade--early childhood education, open classroom (informal education), individualized instruction, nongraded programs, multi-age grouping, team teaching and differentiated staffing."^{15/} School desegregation has led to a greater emphasis on individualized instruction and team planning, and many teachers have reportedly been receptive to these new techniques.

^{15/} The open classroom approach provides for numerous activities to be underway simultaneously in a classroom. It is called "open" classroom because one classroom can consist of many small groups of children working independently or with the teacher.

Nongraded programs--Grades are not used to evaluate students.

In multi-age instruction--children are encouraged to learn from their peers. Pupils from two or more grade levels are placed together--one class may have children, six, seven and eight years old--and these children stay together for two or more years.

Team teaching involves several teachers in a classroom who work together, with each taking advantage of his or her special skills.

Differentiated staffing gives the school principal the option of choosing two paraprofessionals in lieu of one teacher. This reduces the pupil-adult ratio in the open classroom.

School administrators singled out Moore Laboratory School and Wiley School for the superior quality of education they offer, in large part because of these programs. Moore Laboratory School is an experimental school that began operation in the fall of 1971. The student body of 600 students, ages 5-13, meets in six large suites of classrooms with 100 students in each. A team of adults works in each suite in an informal atmosphere where children are permitted to "explore and create" as well as to participate in structural reading and math programs. The development of self-discipline is encouraged, and students are given the opportunity to select activities in a variety of interest centers ^{16/} each day. The primary purpose of each program in the school is to individualize instruction for each student.

Parkland High School has undertaken similar innovative educational programs such as team planning, individualized instruction and modular flexible scheduling. Vocational education is also receiving increasing attention now in the district.

A new Management Objectives Program began in the summer of 1972 and is continuing this year, designed to help school administrators determine long and short range goals for public education in Winston-Salem/Forsyth County. The program, sponsored through the Winston-Salem Foundation, involves citizens, parents and school personnel who meet

16/ Interest centers consist of areas set aside in suites where students can go to pursue personal interests, i.e., arts, science or social studies.

periodically to review the role of public education in the community and what they feel needs to be done to improve educational opportunities for students. The program has become a "vital part" of school administration, said the superintendent.

Despite these programs, one board member felt that desegregation has blocked some academic innovations and has discouraged positive changes in programs. More compensatory education programs are needed, this official believed, as black lower-income junior high students seem to be "frustrated" in the face of new competition and standards. The board chairman also noted the difficulty of teaching disadvantaged students in the classroom without slowing the progress of faster students.

School staff reported that despite this problem, many parents have told them that "we had all kinds of fears at first, but we are more than pleased with the quality of education. My child is learning, and he likes his school." One staff member said that parents' original fears of racial clashes and chaos in the schools were "without any tangible basis" and proved groundless. The atmosphere for learning in the schools is "better than ever," observed one teacher.

Community Cooperation

The views of many County residents on busing appear basically unchanged since the Commission's earlier report. Board members and school officials agreed that the community would probably vote in favor of a constitutional amendment to prohibit busing.

The school board, all eight of whose members are white, is generally considered to accurately reflect community opposition to busing. Two new members were elected in the fall of 1972 on what were viewed as anti-busing platforms. During his previously noted testimony before Congress, the board chairman spoke in support of a constitutional amendment or legislation to halt busing.

Nonetheless, much of the harsh rhetoric and bitterness of whites who had originally protested busing, particularly to schools in black areas such as Atkins, seems to have diminished. As noted in the Commission's earlier report, a group of parents against busing-- "The Silent Majority"--originally led opposition to the court-ordered plan. School officials said that as most parents have settled down and now concern themselves with educational matters, the influence and activity of the "Silent Majority" has dwindled. There is resentment among some parents who believe that the same standards applied to Forsyth County school desegregation have not been upheld in other regions of the Nation. Many parents continue to fear for the safety of students on I-40, but most mechanical or scheduling problems with busing have been overcome.

School officials claimed that perhaps 2,000 students were lost to private schools or schools in other districts as a result of desegregation. But quite a few have reportedly returned to district schools, and one or two private schools which initially enjoyed large increases in student enrollment have since closed due to high costs.

PTA programs remain strong at some schools and weak at others. Moore Laboratory has one of the most active. PTA members at Moore serve as volunteer lunchroom supervisors, health room aides, media center aides, and suite assistants. A Parent Advisory Council (PAC) was formed as an aid to desegregation and continues to meet monthly to ensure regular communication between parents and school staff. PAC makes suggestions to the staff, voices various parental concerns, and helps to disseminate information about the school to parents.

Other factors which some observers said were helpful to the district's desegregation were the "positive" attitude of the local media and the presence in the community of staff of several local colleges, many of whom are naturally interested in educational matters.

Finally, the school board in 1972 appointed a committee of 250 local citizens, including students, to advise school authorities on various matters of common interest. Representing a cross-section of the community, members are assigned to all schools to consult periodically with administrators. This community participation is further evidence that "things are stable and settling down," said one school official.

Thus, busing in Winston-Salem/Forsyth County has proceeded relatively smoothly and without major difficulty for most students, and schools have been generally free of any sustained racial tension. While strong neighborhood school sentiment exists, many in the district are giving increasing attention to the district's educational challenges-- high dropout rates, financial pressures, teaching disadvantaged pupils to learn in integrated classrooms-- to ensure that school desegregation will enhance rather than hurt the district's quality of education.

Several individuals interviewed by Commission staff regretted that the school board had not been more positive towards school desegregation and had delayed or sought to avoid the "inevitable." One thought that the board had been preoccupied with avoiding substantial busing even if it meant the continued existence of all-black and all-white schools. The complaint that the district was confused by the varying requirements of HEW, the local district court, the Circuit Court of Appeals, and the Supreme Court was simply a "smokescreen," it was said, used to try to avoid compliance with firm court desegregation guidelines. One board member commented that "if school boards would accept their responsibility," it would greatly "relieve" school staff. If boards would stay "off their backs," school authorities could devote to present educational problems the undivided attention they require.

While most parents and teachers are said to be trying to do "what is right," according to one observer, the protracted litigation in Forsyth County, coupled with national controversy over busing, particularly in the North, has left the atmosphere somewhat clouded. Until a consistent, "honorable" national policy in school desegregation is set forth, supported, and enforced by all branches of the Federal Government, it was felt that school districts such as Winston-Salem/ Forsyth County will "waste a lot of time" searching for "escape routes from what they and more and more of us now realize should have been done long ago."

CHARLOTTE-MECKLENBURG, NORTH CAROLINA

The Charlotte-Mecklenburg school district had a student enrollment in October 1972 of 79,873, a slight increase from the 79,557 of December 1971.^{1/} Black student enrollment was 25,782 (32.3%) as compared to 24,890 (31.29%) in late 1971. The instructional staff totaled 3,912 of whom 1,008 (25.8%) were black. Of the total positions, 114 were in the central office. Blacks held 24 of these central office positions including one on the executive staff.

The district continues to operate its feeder plan, a modification of the plan implemented following the Swann decision of the United States Supreme Court.^{2/} The majority of schools on October 31, 1972 had a black enrollment of between 20 and 40 percent. The highest percent of black students at any school in the system was at West Charlotte High School (nearly 50%), and at Elizabeth and Lakeview elementary schools (both 46%). Five schools, on the other hand, had a black enrollment of 20 percent or less.

1/ All statistics made available by the Office of the Superintendent.

2/ Swann v. Charlotte-Mecklenburg Board of Education, 402 U. S. 1 (1971) Rezoning of attendance zones and the creation of new "satellite" zones provided the basis for assignment of high school and junior high students under the new plan. Elementary school children were assigned through a combination of zoning, pairing and grouping. This basic plan was modified with the adoption of a feeder system by which once a pupil is assigned to elementary school he knows which school he will attend throughout his school career. Each elementary school feeds into a specific junior high, which in turn feeds into a senior high school. (For details concerning the plan and legal history of school desegregation in Charlotte-Mecklenburg, see Five Communities: Their Search for Equal Education, a clearinghouse publication of the Commission published in December 1972, pp.34-40).

On November 10, 1972, the NAACP Legal Defense and Educational Fund, Inc., brought suit to reopen the case, charging that West Charlotte High School, whose black enrollment had increased from 45% to almost 50% in one year, was becoming a majority black school in violation of the court order and with the knowledge and acquiescence of the school board. Discrimination was also alleged in faculty assignment. The school board chairman publicly criticized the Legal Defense Fund for taking this action.

On November 13, 1972, the Charlotte Observer, the area's largest newspaper, editorially rebuked the school board chairman for the "vehemence and timing" of his personal criticism of the Legal Defense Fund attorney who had filed the new suit. The Observer noted that "similar intemperate outbursts" in 1970 had led much of the public to "prejudge the probable outcome" of school desegregation.

At the same time, however, the paper regretted that the Legal Defense Fund had felt it necessary to reopen the case as it had hoped "the community could be spared further reshuffling of students and teachers. . ." It asked its readers to withhold judgment of the situation until "the charges can be fully heard and the facts can be found."

This exchange reveals continuing differences of opinion over the progress of school desegregation in Charlotte. It also reflects a lingering residue of discord in some elements of the community as to whether school desegregation is worth the difficulties involved.

As noted in the Commission's earlier report on Charlotte, considerable disruption occurred in the schools from February 1970 to the end of that school term. Substantial white flight from the schools occurred in 1970 and 1971, involving an estimated 5,000 students. Some administrators claimed they were devoting more time to disciplinary problems than academic matters. Many parents were upset at what they saw as the loss of identity and loyalty of their children to a specific school or neighborhood. Others argued that the additional costs of busing could be better used to improve the quality of education in Charlotte.

Such views persist. Many citizens, black and white, agree that a majority of Charlotte voters would support strong anti-busing legislation. Several school board members testified before Congress in support of such legislation. As the Commission's earlier report stated, "there has been very little community support for the desegregation plan. Many people have charged that the school board has not entirely supported the school desegregation plan, and there has been little leadership anywhere else in the city or county in support of the plan." This finding was generally substantiated during the most recent visit by Commission staff.

But the Observer's plea for restraint to accompany a full hearing of the charges was echoed by a number of people interviewed by Commission staff, suggesting a widespread desire to put aside the differences of the past and get on with efforts to provide true quality, integrated education for all children in the district.

Busing

Approximately 46,300 students, 19,488 of whom are black, are presently transported on a staggered basis. This total represents a slight decrease in the number of students bused from the 46,826 reported for November 1971.

School administrators reported that the busing situation is "much better" than it was during the first year of desegregation. If a bused student becomes ill, the school principal sees that he gets home, should that be necessary. There have been no serious bus accidents. According to school officials, the average bus ride is about 15-20 minutes, and the longest ride is about 50 minutes one way.

There appears to be continuing resentment among blacks in Charlotte that black students must "bear the burden" of busing. Yet most black students interviewed by Commission staff are unwilling to return to the old system. The problem of a substantial number of old, worn buses remains, and bus schedules have had the effect of limiting extra-curricular opportunities for some students.

Yet there are indications that a sense of identity has developed among the students at various schools. The majority of students interviewed, both black and white, said that they enjoyed being with their friends on the bus. Most buses transport either black or white pupils because of residential patterns.

One black senior at West Charlotte High School, who was transported to school prior to implementation of the present desegregation plan, now rides a bus for four miles or approximately 15 minutes. He said that extra-curricular activity has been difficult for him because of bus schedules and that some of his friends dislike busing because they believe that schools "lose their identity" and become too white-oriented.

He added that he personally enjoys riding with his friends on the bus and his parents feel that busing is the only way integration can be achieved. Other friends of his feel that it is important to learn another "culture."

A white senior at the same school now drives his own car but used to ride a bus three miles or about 15 minutes, and he also enjoyed riding to school with his friends. His parents fully support integration, he said, as long as bus rides are not too lengthy or time-consuming.

Another white student at West Charlotte said that his parents dislike busing and his attending a formerly all-black school. But he feels that busing has done "some good." Busing and school desegregation have changed his own racial attitudes. They have "opened the eyes of both black and white students." Whereas in junior high school, he would never have "stood in line" behind a black girl, he said such behavior now strikes him as silly.

Black students from the model cities project area in West Charlotte who attend East Mecklenburg High School reported difficulty in participating in extra-curricular activities because of the lack of enough "activity" buses. The school has recently been able to double such service, however, through funds provided under the model cities program.

A teacher at First Ward Elementary School, located in the inner city, told Commission staff that parents of white students at that

school (70% of enrollment) indicate their children are happy at the school and that they seem to like riding the buses. Their ride is about 10 miles or 25 minutes, according to this teacher.

An activity bus is also now in service at Northwest Junior High School. Of 500 children transported to that school, 117 are black. The average ride is six miles or 20 minutes.

Disruptions and Racial Tension

The general consensus among administrators, teachers and students interviewed in Charlotte was that until recently, and despite considerable racial animosity in the community, racial tension in the schools had eased. One major incident occurred at East Mecklenburg High School in October 1972. From 100-200 black and white students were involved, according to widely ranging estimates. School officials were unclear as to the cause of the incident, but one board member said that tension had been building for some time between students and a "rigid" school administration. A fight reportedly began between a black and a white male student. More students became involved, and police appeared on the scene. A group of black students then marched to the School Administration Center. Three black students were arrested during the march. Classes were temporarily suspended at the school in compliance with a police request.

Following the disturbance, the school's principal resigned on the grounds of ill health, and twelve students--six black and six white--were suspended. Classes quickly resumed, with one grade returning to school each day for four days until the school had returned to its normal schedule. Some students

felt that everyone involved--school staff, school board, and police--had overreacted. Several black students maintained that whites had originally attacked blacks, but that their protests over the attacks by whites were ignored by school authorities. Steps were taken to improve communication with the students, including the use of discussion leaders in all home rooms and the creation of a committee of eight (four students, two white and two black, and four teachers, two white and two black) to provide liaison with the principal. The black principal of a junior high school was appointed as the new principal at East Mecklenburg.

Schools were quiet during the remainder of the fall and most of the winter of 1972-73. In early March 1973, racial clashes broke out at West Mecklenburg High School and spread to South Mecklenburg, Independence, and Garinger High schools, as well as several junior high schools. Police were called to quell the fighting, which included rock and bottle throwing. Approximately a dozen arrests were made, and over two hundred students were suspended for varying lengths of time. Classes at some district schools were temporarily suspended, with various grades returning, as in the previously described East Mecklenburg incident, one day at a time. Although most of the suspensions occurred at West Mecklenburg, the worst single outburst reportedly took place at Independence.

None of the schools affected had experienced such disruptions before. East Mecklenburg High remained peaceful as did West Charlotte High, which had the largest black student enrollment of all

high schools. School staff said that many students appeared surprised and ashamed by the violence; a number were in tears because of the unexpected disturbances at their schools.

Schools reopened gradually and police were removed from all schools except West Mecklenburg. Attention turned to examination of the reasons for the disturbances. The school superintendent said that there was no "pat answer" to the question of why the incidents occurred and spread. In the case of South Mecklenburg High, disorders reportedly began after students blowing paper drinking straws at each other accidentally hit another student.

Several school officials felt that "spring fever" and a student desire to have a day off from class were behind some of the trouble which occurred at schools after the initial clash and closing of West Mecklenburg High. Some said that police involvement, while deemed clearly necessary, may have aggravated tension at the other schools; one principal noted that there are few black members on the local police force and there were charges of police "brutality" toward black students. Other officials cited "inflexible" administrative policies at some schools which had alienated students. In a report to the school board in late March, the NAACP charged that the initial disturbance at West Mecklenburg had been planned in advance by a group of white students.^{3/} One school source said that some evidence

^{3/} Charlotte-Mecklenburg NAACP Youth Councils Report on Investigation of Racial Disorder in the Public Schools of Charlotte and Mecklenburg County, Friday, March 2 through Monday, March 12, 1973. NAACP Youth and College Division.

implicated members of a white motorcycle gang in such advance planning efforts.

More fundamentally, the question remained as to why the disruptions spread and involved as many students as they did. School authorities suggested that there has been a "backlash" in recent months in Charlotte, and probably elsewhere, among whites who are bitter over social advances and complaints of blacks and who now refuse to "put up with any more" from them. "Sick and tired" of quotas and "favoritism" towards blacks, some of these whites have transmitted their feelings during the winter to their children, who now express them in school more frequently. The result has been an apparent hardening of white racial attitudes in the face of continuing efforts at all levels to eliminate racial injustice.

Meanwhile, black students argue that they are "tired of getting the run around" and that administrators at schools such as West Mecklenburg are "rigid" and unfair to blacks. Said the NAACP in its report, "There are some black students who really believe that some principals, teachers, and other administrators are not interested in their welfare. They feel that the only way to solve a problem is with physical combat." The NAACP offered a dozen recommendations for improving race relations and student discipline in the schools, including the creation of the office of ombudsman to handle student and faculty grievances, a student bill of rights, and weekly open office

periods for students to meet junior and senior high school principals without appointments. School staff agreed with a number of points in the report and noted that steps had been taken to meet some of these requests.

Despite the incidents, the superintendent publicly reasserted that "integration is our proper goal" and stressed the great need for new human relations resource teams and other programs whose funding would depend primarily on the availability of Federal funds. Having lost such funds earlier, a new application seeking \$1 million under the Emergency School Aid Act (ESAA) was submitted earlier in the winter.

That community disagreement over school desegregation and attendant policies remains deep and sharp was demonstrated shortly after the superintendent's statement of strong support for the goal of integration when a member of the school board attacked the superintendent's "permissive" policies as the major cause of the March disruptions.

Despite these disruptions, school officials reported that petty shakedowns and racial insults had continued to diminish and lacked the "tone and punch" of earlier years. Until March 1973, only 13 students had been expelled this school year, according to school officials at the central office, compared to 106 in 1971-72, and there had been fewer suspensions. (There were 6,500 student suspensions in 1970-71 and 6,201 in 1971-72). More elaborate due process procedures

and greater stress on the need for principals to understand and respond to the concerns of all students were credited with the decline in expulsions and suspensions.

The majority of those suspended have been black, and this has remained a sore point among many black students. A group of black pupils from area high schools protested in late fall, 1972, what they called the "mistreatment" of black students and forwarded a list of nine demands to the school board, including an "end of automatic suspension" of students and the creation at each school of a student-faculty-community judicial review board. In the spring of 1972, the Legal Aid Society of Mecklenburg County filed suit charging that the district and State general statutes which allow student expulsions were unconstitutional. An earlier suit by the Society had resulted in the setting of procedures for long-term expulsions and suspensions.

Some blacks feel that the lack of teacher training prior to desegregation accounts for many of the suspensions. Some believe there are too many "racist" teachers in the system. Others say they fear the "hostile" environment in some white neighborhoods where they attend school.

A ten-point behavior guideline is followed in the district. There are six staff hearing officers for disciplinary cases, and volunteers and teachers serve as monitors in some schools.

As in many communities around the Nation, youthful drug abuse exists in Charlotte. It is not, by general agreement, a problem limited to students of one race, but common to both. Greater preventive efforts are being made, and the staff is in regular contact with a local drug center.

Although there is some continuing separatism in schools, particularly in school cafeterias, most students reportedly mingle quite well in the schools. There have been about 50 suspensions and no expulsions at West Charlotte High School this year. Very few of the suspensions resulted from racially-motivated incidents, according to the principal, and the total number represents "quite a decrease" in suspensions from last year. Proms are integrated at area high schools.

Last year a group of black and white West Charlotte High students called a press conference to ask the media, the school board and superintendent to "leave them alone" and stop distorting trivial incidents and blowing them out of proportion. They said that they were getting along fine. One community leader expressed his conviction that most students in Charlotte "can get along and want to move ahead."

Earlier violence at Northwest Junior High School has reportedly subsided under the leadership of a new white principal and black assistant principal. A board member stressed the importance of the role of the principal in creating harmony among students, comparing it in some respects to that of the father in the family.

Quality of Education

A major blow to school officials in Charlotte was the rejection last year of the district's application for approximately \$1,300,000 in Federal funds. The Department of Health, Education and Welfare turned down the grant application citing the sale of excess school property to a private, segregated school in South Carolina. The central staff insisted that the sale was a careless and unwitting administrative error, and they stressed how important these funds were to the educational program in Charlotte. In addition to the pressing need for full-time human relations personnel, the superintendent said that demographic studies for pupil assignments and other vital research materials were needed.

Despite the failure to obtain these substantial Federal funds, there was a widespread feeling among those interviewed by Commission staff that the quality of education is steadily improving in the district. A board member said that "the system is far superior to what it was five years ago." Teachers are now more interested in teaching while before they were "babysitting" because of the lack of adequate challenge. Another board member agreed that the system is "better off now, everything considered, than it was." The conclusion was that integration had posed new challenges to the educational system and that resulting changes in teaching methods and curricula were generally beneficial.

In his testimony before Congress, another school board member noted that the "problems that have arisen in the academic areas are being dealt with through the use of various instructional techniques such as team teaching, clustered teaching, curriculum revision, and some individualized instruction where the personnel are available." He added that the "professional staff has sought to respond in new and different ways to the challenge of meeting the needs of youngsters from divergent backgrounds." 4/

The district is particularly proud of its kindergarten program which features both black and white teachers and aides in every classroom. A racially mixed inservice team works with this staff. One white teacher reported that "I've had to change my whole pattern of teaching...the school work of black children must go up on the black board just like that of white children." The system continues to provide an inservice training program for teachers and principals. 5/ Ability grouping, by which pupils are grouped in the classroom on the basis of comparable academic ability, is being phased out. Approximately 4,000 volunteers are assisting in the schools as teacher

4/ Statement of William E. Poe, Chairman, Charlotte-Mecklenburg Board of Education, Hearing before Subcommittee No. 5 of the Committee on the Judiciary, House of Representatives, 92nd Congress, pp. 1297-98 (April 20, 1972).

5/ The program included seminars on such topics as "Due Process," "Curriculum Design in a Desegregated School System," and "Improving Human Relations Through Better Communications". A film entitled "Someone Has to Listen," dealing with "human relations problems that exist in secondary schools," was produced in cooperation with the National PTA.

aides, tutors and additional office help. Vocational education is now receiving greater emphasis.

At a school board meeting on April 11, 1972, consideration was given to the continuing problems of overcrowded schools and the "underachiever" as well as to transportation. A proposal was made to study the possible use of unspent funds from a 1967 bond program in the "original attendance areas in which they were assigned" or for the construction of "additions to those schools that are seriously overcrowded."^{6/} It was also suggested that the board and staff consider preparing a blueprint for improved education in the school system to be submitted to the community for approval.

Other sources of concern which developed over the winter of 1972-73 included the possibility of reductions in or termination of the district's Title II library program, Title I program ^{7/} and the education component of the Model Cities program under the Administration's proposed educational and revenue sharing policies. It was also feared that proposed tax credits for parochial school attendance would seriously undercut the public school system.

^{6/} Excerpts from minutes of Board of Education meeting held on April 11, 1972.

^{7/} In Charlotte, 720 children are enrolled in a pre-school or Title I kindergarten program. For the past two or three years, these pupils have scored "significant gains" in mathematics and language art skills so that their scores are now comparable to or exceed those recorded in the State's pilot program of this type. Approximately \$1 million was budgeted for Title I programs for 1972-73.

Meanwhile, in December 1972 the superintendent presented an administrative reorganization plan, one major change included the consolidation of the staff development and curriculum departments. This reorganization was intended to "make administration more responsive to a situation...to the demands of education...and to the needs of students, teachers, parents, and principals."

In its outline of plans for continuing formal desegregation activities, the central office staff stated that "the emphasis of staff development in 1972-73 will not deal with black-white relationships among staff and students. Instead the emphasis will be placed on learning-teaching problems in the classroom." 8/

Community Cooperation

The Commission's earlier report on Charlotte found "very little community support for the desegregation plan, and little leadership exerted in its behalf." A year later, school officials expressed concern at the continuing lack of strong public support for the efforts of the professional staff to carry out its responsibility to ensure equal educational opportunity. Staff members are often referred to as "eggheads and social changers," they said, and such disparaging comments are apparently intended to impair these educators' effectiveness with their tasks. Such denigration has led, these officials felt, to a decline in the standing of the professional staff in the community. On March 14, 1972, the Charlotte-Mecklenburg Community Relations Committee, a cross-section of the community appointed by the Mayor and the Chairman of the Mecklenburg Board of Commissioners, reported as requested to the school board in an effort to pinpoint the causes of school disorders and tension in Charlotte. "We have been a deeply divided community," the report stated. It mentioned the strong

8/ "Formal Desegregation Activities for Board, Central Staff, and Principals--Plans for 1972-73."

resistance on the part of "some persons in the community who feel a long and difficult fight has been lost" and are particularly bitter about it. The report continued, "It is obvious that a major source of unrest in our schools is the deep division and hostile attitudes that exist between different groups in our community. Our schools and our children, in part, reflect these views and actions. The recent years of debate and struggle over school desegregation have made more acute the differences and prejudices that have existed for some time."

The Committee added, however, that it "believes there are signs that our community and its school leadership will find a new sense of direction." One such sign may have appeared in the last school board elections in which busing reportedly was not an issue and several overtly anti-busing candidates were defeated. The board chairman, easily re-elected, noted that "I didn't talk at all about busing in that campaign. I talked about the need to provide quality education. I finished first. I think we have come a long way from when there were so many negative attitudes."^{9/}

The problem of white flight seems to have stabilized in district schools. School officials said that 300 students have returned to the public schools. One private school has reportedly closed.

^{9/} Washington Post, November 19, 1972, p. A-20.

The Concerned Area Parents group is no longer viewed as a powerful anti-busing force in the community. Some parents, through the PTA's, have organized human relations committees. One elementary school, Beverly Woods, has held PTA meetings at a location away from the school and more accessible to black parents, many of whom would otherwise have to pay about \$5.00 in taxi fare to attend.

A student coordinating council (half black and half white) has helped to involve students in school administrative affairs. Two representatives of each school sit on the committee to discuss the news media, school publications, extra-curricular activities and other matters of interest to students. School board members attend council meetings, and students in the council are invited to attend meetings. In short, blacks and whites are "communicating more than ever, and there is improvement in attitudes and openmindedness," according to a board member.

Continuing national controversy over busing has hurt Charlotte "terribly" said one official, by raising "false hopes" that the local court order might be overturned. While many in Charlotte oppose busing in principle, a board member said that overturning the present plan in Charlotte would be "disastrous" and would create an "instant ghetto." Other school officials said that such legislation as was debated in the last Congress would leave Charlotte "with a worse system than before."

Board members and school administrators stressed the importance of a strong and consistent national policy on busing and school desegregation. They felt that with political stability and the absence of "irresponsible statements," the district would turn the corner. The attitude of "Let's get on with education" is growing, they said, and negative statements from Washington will only bring the atmosphere to the "boil" again.

The Committee on Human Relations criticized the school board and a majority of parents in Charlotte for their "interim" attitude and approach of "temporariness" in regarding the school situation and busing as temporary conditions to be endured only until the next court order, often already applied for. This had led to "serious oversight," said the Committee, in the "fundamental purpose of the schools--education." The Committee declared that it was time for the board to "articulate a positive program in behalf of good education, as a permanent and continuing purpose in this community." With leadership and adequate explanation, most citizens of the community would respond positively. The Committee noted that desegregation is a fact of education which is "here to stay." Although considerable, perhaps painful effort was required to adhere to desegregation in the community it was a goal "that must be attained and at no expense to good education."

The Committee concluded:

Thus, our first and firmest attention should be turned from discontent with courts and hope of reversals of orders to our schools and the way in which they educate our children. The Committee believes that leadership from the Board of Education and from others--elected and private civic leaders alike--will cause this community's parents to reaffirm their belief in good education. In other words, we cannot continue to treat our schools as a transitory institution beset by transitory problems. We must accept these problems, these duties, and treat our schools as the permanent and vital institutions they have always been and should always be for our children and for the whole of this community.

PASADENA, CALIFORNIABackground

School segregation in the North and West frequently is as severe as in the South. Unlike the South, however, where segregation traditionally was required or expressly permitted by State or local law, school segregation in the North and West typically resulted from factors other than school segregation statutes. The most common cause has been the combination of residential segregation and neighborhood school attendance.^{1/} In many school districts, the neighborhood school plan has been used as an administrative device by school officials to impose a racially segregated school system upon students. In a number of instances, courts have found that the resulting segregation is not de facto, but de jure, in violation of the United States Constitution. The Pasadena Unified School District is a case in point.

For many years, Pasadena school officials determined school attendance on the basis of the neighborhood school principle. Thus students generally were required to attend the school nearest their

^{1/} For a detailed survey of the legal history of the neighborhood school in American education see: Meyer Weinberg, Race and Place: A Legal History of the Neighborhood School, U.S. Department of Health, Education and Welfare; Office of Education, U.S. Government Printing Office, Washington, D.C. (1967).

homes. In the context of the severe residential segregation that existed in the city, neighborhood school attendance resulted in segregated schools as well. The neighborhood school principle, however, was not applied inflexibly. School officials also permitted students to transfer from the school to which they ordinarily would be assigned to the one of their choice, upon request. Over the years, few black students requested transfers from their predominantly black schools, but a substantial number of white students did request transfers from integrated schools. These were routinely approved.

Before World War II minority groups in the area--mostly blacks, but some Mexican Americans and Asian Americans as well--were excluded from buying houses in Pasadena and adjacent communities. In 1939, for example, Pasadena's Board of Realtors openly supported racially restrictive covenants,^{2/} and until 1968 most Pasadena realtors refused to sell houses to blacks in "white residential areas."^{3/} Some black families, who were able to purchase houses in these neighborhoods, became the targets of intimidation and harassment by their neighbors once they moved into their new neighborhood.

Even the Pasadena Board of Education was a party to a racially restrictive covenant. During the 1940's one of the Pasadena schools (Allendale) was on property the deed to which carried a covenant excluding blacks from the property. During the period 1948-1968 the board never assigned a black teacher to the school, and no more

^{2/} Spangler v. Pasadena City Board of Education 311 F. Supp. 501, 512 (C. D. Cal. 1970).

^{3/} Ibid.

than two black students attended the school. So effective were restrictive covenants in barring blacks from purchasing houses in some areas of Pasadena that as early as 1945 the city was rigidly segregated by residence.

As a result of residential segregation coupled with the insistence by the Pasadena Board of Education that the neighborhood school be the basis for assigning students, the schools in Pasadena became segregated. Further, the board of education's free transfer policy had the effect of intensifying the problem.

Since the late 1940's there has been a consistent decline in the percentage of white Anglo students attending the Pasadena schools. Thus in 1948, more than 90 percent of the 22,000 students enrolled in the Pasadena schools were white Anglo. Black children represented 5 percent of the enrollment, the total of Spanish surnamed, Asian American and American Indian children comprised only 4.6 percent of the school population. Ten years later, the white Anglo proportion of school enrollment had been reduced to 82.7 percent. Black enrollment had grown to 10.5 percent, and other racial and ethnic minorities were nearly 7 percent. By 1969, the year before the Pasadena desegregation plan went into effect, white Anglo enrollment had declined to 58.3 percent, while black and Spanish surnamed enrollment had increased to 30 percent and 8.2 percent, respectively. By 1972, white Anglo enrollment had dropped to 46.8 percent. Of the 26,225 students attending the Pasadena public schools, 38.3 percent were black, 11 percent were Spanish surnamed, and 2.8 percent were Asian American.

A variety of factors account for the change in the racial and ethnic composition of the Pasadena schools over the past two decades. One major factor has been the change in the racial and ethnic composition of the overall population in Pasadena during this period. In 1950, white Anglos represented nearly 90 percent of the city's 105,000 residents. In 1960, the white Anglo population had increased by nearly 2,000, but their percentage of the overall population had declined to 80 percent. The black population had almost doubled to 14,500 and the Spanish surnamed population had increased from 3,300 to 5,200 persons. According to the 1970 Census, the white Anglo population declined by some 15,000 during the last decade and represents little more than two-thirds of the city's population. The black population has grown to 18,000 and the Spanish surnamed population has more than doubled to 13,000.

Of the total decline of some 10,000 white Anglo students in the Pasadena system between 1961 and 1972, nearly half occurred before desegregation. The decline in white Anglo enrollment peaked in 1970 when the Pasadena desegregation plan went into effect and the system lost some 2,200 white Anglo students. The rate of white student loss decreased to 1,800 in 1971 and again in 1972 to approximately 1,600.

One school board member attributes the loss of 4/ white students to "white flight" resulting from desegregation. Other school officials, however, point out that while the loss of white students following implementation of the desegregation plan was substantial, this did not represent a new phenomenon, but rather a part of the trend that began in the late 1940's. In their view, other factors explaining the decline in white enrollment, particularly during the late 1960's and early 1970's were: smog, a declining Anglo birth rate, the recession in the aerospace industry, and the demolition of 5,000 houses in predominantly white portions of Pasadena to make way for new freeways. While they concede that some of the decline in white Anglo enrollment undoubtedly was a result of desegregation, there is no objective evidence, school officials conclude, to prove authoritatively that a causal relationship exists between desegregation and the district's decreased white enrollment. 5/

Litigation

In 1968, when litigation to desegregate the Pasadena schools was instituted, the district's enrollment was 31,484 students. There

4/ See H. Marcheschi, Member of Pasadena Board of Education, Testimony before Subcommittee No. 5 of the Committee on the Judiciary, House of Representatives, 92nd Congress Second Session; School Busing, Part 3 Serial No. 32 pp. 1417-1459; Compare with Samuel C. Sheats, Member, Pasadena Board of Education testimony pp. 1319-1327.

5/ Another factor according to school officials, was the decision in 1961 of an adjacent white Anglo community, La Canada (once a part of the Pasadena school system), to establish its own educational system, independent of Pasadena's. That year, 390 white 10th and 11th graders living in La Canada withdrew from the Pasadena system. The next year, the Pasadena system lost 378 additional white La Canada residents through graduation from the Pasadena system.

were 19,008 Caucasians, 8,872 blacks, and other minorities accounted for 3,604. Pasadena's Board of Education operated 28 elementary schools, five junior high schools, three senior high schools and two special schools. The school system served Pasadena, Altadena, the City of Sierra Madre, and portions of Los Angeles County. Ninety-three percent of white elementary students attended schools that were nearly all-white, while 85 percent of black students attended eight elementary schools that were nearly all-black. Junior high school students, as well, attended racially separate schools. ^{6/}

In August 1968 a suit ^{7/} was filed against the board alleging that racial discrimination existed in the school district. In December 1968, the Department of Justice became a Plaintiff-Intervenor in the suit as a result of an investigation conducted by the Department of Health, Education, and Welfare (HEW). Several school districts in California, including Pasadena, had been selected by HEW to determine whether discrimination existed in faculty and student assignments. In instances where the correlation in the racial composition of faculty and students was high, HEW had initiated an investigation. ^{8/} After completing its

^{6/} Spangler v. Pasadena City Board of Education 311 F. Supp. 501, 707-513 (C.D. Cal. 1970).

^{7/} Ibid. p. 501

^{8/} See: Hearings before the Select Committee on Equal Educational Opportunity of the United States Senate, Ninety-first Congress, Second Session on Equal Educational Opportunity, Part 6, Racial Imbalance in Urban Schools; Testimony of Charles Quaintance, Jr., p. 3175.

report HEW had turned its files over to the Department of Justice with a recommendation that it intervene in the action. 9/

On January 22, 1970, the United States District Court for the Central District of California found that de jure segregation existed in the assignment of students and faculty, in the utilization of the district's physical facilities, and that segregation was extant at all levels--the elementary schools, the junior high schools and the senior high schools. The evidence in the case established that segregation existing among students and faculty resulted from the district's failure to implement announced integration policies. These policies were not carried out in connection with teacher assignment, hiring and promotion policies and practices of the district, its construction policies and its assignment of students. Although the district court recognized that a neighborhood school policy is an educational consideration, it concluded that where a strict neighborhood school policy and a policy against cross-town busing resulted in maintaining and increasing segregation, the policies took on constitutional significance as a violation of the Fourteenth Amendment to the Constitution of the United States. The court ordered the Pasadena School Board to submit a desegregation plan by February 2, 1970.

9/ Ibid.

The Plan

To comply with the court's decree, the board adopted a plan designed to meet five criteria. First, each school was to have a student population as close as possible to the general racial and ethnic composition of the district. Second, while the neighborhood school could be maintained it was to be consistent with desegregation. Third, the criterion of shortest distance between a student's home and his school was to be used in determining the route of the school buses. Fourth, all existing physical facilities were to be desegregated. And fifth, the sites for construction of all educational facilities were to be selected with a view to assuring that desegregation would be maintained in the future.

The school board also abolished the transfer policy that previously had been an element in perpetuating segregation in the schools and adopted strong measures restricting the conditions under which a student could transfer from one school to another.

The basic component of the Pasadena Plan was the crosstown busing of approximately 60 percent of the elementary school students (8,000), 50 percent of the junior high students (3,600), and 27 percent of the senior high students (1,900). Cost of transporting the students was approximately \$1,000,000 in the first year. This represented 2.5 percent of the school district's budget of \$38,658,000.

Preparation for Implementation

Beginning in May 1970 and continuing through the summer, the school district sent letters to parents explaining how desegregation would affect their children. Various community organizations and PTA's with the cooperation of the school board, established information booths to answer questions and to quash rumors about the plan. The PTA's sponsored social events so that students going to a new school could become acquainted with the school's teachers, staff, and students. Advice on the control of traffic was given to the school district by law enforcement agencies and the Automobile Association of Southern California provided leaflets and cards concerning bus transportation and standards of behavior for students.

Transportation

The most controversial part of the Pasadena Plan was, and continues to be, the busing of students. In the first year (1970-71) 13,500 students were transported to school, with the use of 86 buses. In the second year (1971-72) 75 buses were used to transport 12,500 students. In the current year (1972-73) the school district uses a fleet of 66 buses and transports 12,000 students. Estimated transportation costs for 1972-73 are \$950,000 or 2.4 percent of a district budget of \$38,981,000. The district is spending \$50,000 less on busing during the current year than it did in 1971-72.

In 1970-71 the average bus ride was 20 minutes (compared to 12 minutes before desegregation) and remains unchanged. The longest ride was, and remains, 36 minutes.

Bus accidents have been few and no injuries have been sustained by students. While parental protests against busing were high in the first year (1970-71), no protests, school officials said, have marred the beginning of the 1972-73 school year.

Incidents

Since desegregation, there have been no major outbursts of racial hostility, and the rate for all forms of incidents--personal fights, vandalism, and the like--is lower than it has been in six years. According to school officials, problems of fights among students and petty thievery exist, but these are no more serious than in the years before desegregation and occur largely on a non-racial basis.

Reaction--Parents and Students^{10/}

The Pasadena community's reaction to desegregation, according to one school administrator, has been generally "positive." The reason, he said, is "because our children are learning." "Students have humanized their parents," he continued. "Black students go home and tell their parents they sat beside a dumb white student, and white students go home and say, 'Gee, there's a smart black in my class!'"

Nonetheless, elections last November and in March 1973 suggested strong anti-busing feeling in the community.

^{10/} For an earlier discussion of this section see: Five Communities: Their Search for Equal Education, United States Commission on Civil Rights, Clearinghouse Publication 37, December (1972) p. 7.

In November 1972, Pasadena voters approved 2-1 Proposition 21, an amendment to the State Constitution, which provided: "No public school student shall, because of his race, creed or color, be assigned to or be required to attend a particular school....^{11/}

The effect of the amendment was to repeal a section of the California Education Code calling on school officials to prevent and eliminate racial and ethnic imbalance in California schools.^{12/} Sixty-three percent of California voters supported the measure. Despite its wide support in Pasadena, the measure will have no effect on the Pasadena school system because the district is under a Federal court order, based on a finding of a violation of the United States Constitution.

In early March 1973, three candidates who vowed to end "forced" busing and "bring discipline back" to the schools were elected to the school board. They defeated two incumbents and a third candidate who backed the Pasadena Plan. The results demonstrated after a sharply fought campaign strong sentiment in favor of overturning the plan even though the incumbent candidates charged that the antibusing slate would only bring about another court battle.

^{11/} Mimeographed publication Proposition 21: "The Wakefield Initiative," California, October 1972.

^{12/} Ibid.

One high administrative official believes that many black Pasadena residents also supported "Proposition 21" and that blacks, as well as whites, "want the district to return to the neighborhood school." Other officials disagreed with this opinion. Black community leaders noted that there is a segment of the black population which desires community control over the education of black children, rather than integration, but that this group is "small" and does not represent the views of the rest of the black community. It was noted that voters in the northwest area of the district, populated primarily by blacks, voted strongly in March for the two incumbents and another candidate who had backed the Pasadena plan for integration.

White flight still is a major concern of some school administrators. "It is one of the biggest problems we have in turning Pasadena into a multi-racial school district," one administrator reported. "White parents don't take time to see," he said, "whether the system is bad or not. They simply listen to people who criticize the district without foundation."

Students are more concerned with acquiring an education than with problems of desegregation. Their classrooms are integrated and most feel that teachers generally are fair to all students. Some students, on the other hand, feel some teachers express their racial prejudices by their rudeness to minority students.

According to an adult school community worker the major problem in the school district is the "psychological welfare of minority students." She says more human relations courses would benefit teachers and administrators. She is firm in her belief that the psychological and personal welfare of minority group students is overlooked in an attempt to resolve their problems. "Some older teachers consider that welfare is 'black'," she said, and that giving them old clothes takes care of their needs. In their view, welfare means giving material things to a student, when the students need to learn to read."

Educational Improvements

Many changes in the Pasadena schools' curriculum were made as the plan was implemented. In the primary schools (K-3), "discovery" rooms offer learning experiences in math, science, art and literature. A multi-media center assists in the development of reading skill, while through the non-graded, multi-aged curriculum children can choose such skills as typing, the use of business machines, crafts or art.

Team teaching in the elementary schools (4-6) gives students the advantage of having an interdisciplinary approach to math and social science, and affords opportunity for wider reading experiences. On Saturdays at the California Institute of Technology a workshop is held for fourth and sixth graders, designed to prepare students for a science career at an earlier age. In the modular scheduling program teacher specialists assist students in unusual subject areas that are chosen by the students. This affords the pupil an

opportunity to expand his learning experience by engaging in a subject of his own interest and choice. "Minicourses" were also created in unusual subjects that were not generally offered at the elementary level.

At the junior high school level the Wherack program is an innovative effort established to afford opportunities to learn outside the classroom. Students enrolled in the program go into the community to "study where the action is." Various courses teach the students about their community, their government, and their social environment. They take field trips to professional, religious, cultural, and business organizations to study the impact of those organizations upon social institutions, society, and their community.

In addition to the more traditional curriculum, senior high school students have an opportunity to study such subjects as cartooning, electronics, law enforcement, dental technology, musical comedy, construction, television, printing and offset lithography, paramedical operations, and computer technology. In the professional experience "practicum" ninth grade students interested in becoming teachers, are assigned to a "cooperating teacher" and a resource person to help them develop their reading skills to the point where they can teach reading to other students in a specific subject. An evening program in the high school offers students who work an opportunity to complete their education after work hours. In addition, "minicourses," foreign languages, pre-calculus (an accelerated program beginning in the ninth grade and continuing for a year and a half to prepare students for an advance placement examination),

humanities, and courses in composition and critical thinking, round out the expanded curriculum of the senior high schools.

A month long study of the Pasadena City School system by a private agency concluded that the schools are graduating students "who can do more to keep the city's business community alive than any other school district in the United States." Dorothy Fagan, Director of Communications Services for the district, said other school districts were studying the program in the Pasadena schools to duplicate them in their own school systems. ^{13/} In September 1972, six graduates of Pasadena's John Muir High School were admitted to the California Institute of Technology. Admission of six graduates of the same high school to this prestigious university was so unusual an

13/ Results of student achievement tests administered in the Fall of 1972 were released on February 27, 1973, after the Commission staff had completed its visit to Pasadena. The results showed median performance for Pasadena students was somewhat below the national norm. This is true also for the State of California as a whole. California students in the first three grades score slightly above the national norm, but students in the sixth and twelfth grades where other testing is conducted score well below it. The Pasadena Superintendent pointed out in releasing the results:

The data show that Caucasian students are generally near or above the National Norm in all areas while Oriental students score above Caucasian students as a group. The data points out that more constructive and relevant programs must be developed to meet the needs of the Negro students who as a group score below the national norm.

The superintendent also observed that it would be misleading to conclude that black students as a group were not achieving well. Rather, in his view, the key element was the socioeconomic factor. Thus Loma Alta Elementary School (Grades 4-6), which is majority black, ranks among the top three of Pasadena's elementary schools. The school draws its student population from a high socioeconomic area of Pasadena. Similarly, Audubon Primary School (K-3), which is 46 percent black and 43 percent Caucasian, ranks first among the system's 14 primary schools on the first grade Readiness test.

occurrence that it prompted a letter from Cal Tech's President to the local newspapers and to the Pasadena superintendent of schools commenting on this noteworthy achievement.

Despite the educational innovations instituted by the Pasadena school system and the superior educational program maintained in the city's schools, Pasadena cannot yet be said to have turned the corner to stable, successful desegregation. The problem of "white flight," while it has diminished in the past two years, remains severe. As was seen in the last school board elections, resentment against busing still is strong in the white community and in part of the black community as well. As one school administrator summed it up:

We've got one of the best educational programs in the country. The kids are learning and they know it. Many of the parents know it, too. I just wish some of the others would open their eyes and see how well their children are doing, instead of reacting to all the slogans.

UNION TOWNSHIP, NEW JERSEY

Union Township, New Jersey is a suburban community located five miles from Newark, where many of its residents work, and 18 miles from New York City. The county's 55,000 residents are largely German American. Approximately 9 percent of the population is nonwhite. Union Township, guided by the same mayor for more than 45 years, is a quiet community noted for owner-occupied, one-family homes. The median family income is \$12,051. ^{1/}

In 1968, Union Township Public Schools enrolled 8,719 students, of whom 1,001 were nonwhite. ^{2/} During that year, the district was twice visited by a compliance review team from the Office for Civil Rights (OCR) of the Department of Health, Education, and Welfare (HEW). ^{3/} OCR found that of the seven elementary schools (K-6) one, Jefferson Elementary School was more than 90 percent

1/ Figures provided by the Union Township Chamber of Commerce.

2/ Of the nonwhite students in the school district, all except 15 were black. See Directory of Public Elementary and Secondary Schools in Selected Districts. Enrollment and Staff by Racial/Ethnic Group, Fall 1968. U.S. Department of Health, Education, and Welfare, Office for Civil Rights, p. 902. Of 578 black elementary students, 370 attended Jefferson Elementary School. Remaining students attended other Union Township Elementary Schools either under an Open Enrollment Policy or because of residential patterns.

3/ Under Title VI of the Civil Rights Act of 1964 and the applicable regulation, HEW/OCR is charged with responsibility for assisting school systems in assuring that facilities and programs are free from discrimination on the basis of race, color or national origin.

black and the remaining elementary schools were overwhelmingly white. Of the two junior high schools (7-9), Burnet Junior High School enrolled 221 black students and Kawameeh Junior High School enrolled only 18. The Township maintained one comprehensive high school (10-12).

The racial isolation of Jefferson Elementary School occurred gradually. Before 1946, no firmly established school attendance zones existed for the elementary schools. By 1950 housing in the vicinity of Jefferson (Vaux Hall) had become increasingly black. Thereafter, the school board adopted definitive zones for all elementary schools. Following establishment of the zones, every black child living in the Vaux Hall community was required to attend Jefferson. Other established zones resulted in nearly all-white elementary schools. When public housing built in the Jefferson attendance zone was inhabited by whites, that segment of the Jefferson attendance zone was removed and students from that area were redirected to another elementary school attendance area where schools were largely white.

Following OCR's second visit to the school district, the superintendent received a letter presenting the compliance team's findings.^{4/} The letter stated that the Union Township School System

^{4/} Letter dated October 14, 1968, from Education Branch Chief, Lloyd Henderson, Office for Civil Rights, Department of Health, Education, and Welfare to Dr. Fred Stahuber, Superintendent, Union Township School System.

had previously operated a zoning policy which discriminated against black students. The letter also noted that the open enrollment policy adopted by the school system in 1964 would be unlikely to result in the desegregation of Jefferson Elementary School. The OCR compliance team concluded that Union Township schools had not eliminated segregation caused by the earlier zoning policy.

At that point, the district faced the possibility of termination of Federal financial assistance for failure to end segregation in Union Township schools. Although Federal funds received by the district did not represent a significant segment of the system's overall budget, the superintendent nonetheless recommended to the school board that a desegregation plan which fully met the district's responsibility to comply with Title VI be drafted and submitted to HEW. The board unanimously supported Superintendent Stahuber, and planning began immediately for integration of Union Township's schools.

The Plan

On February 17, 1969 , the school board approved a desegregation plan--the Central-6 plan. The plan, subsequently approved by HEW, created a sixth grade center at Jefferson Elementary School (Central-6). Under the plan, black and white students living 1 1/2 miles or more from Central-6 would ride to school, if they desired transportation. All kindergarten through fifth grade students residing in the previous Jefferson attendance area were to be transported to the six other predominantly white elementary schools. The two junior high schools and the one high school were not technically a part of the plan, although

the junior high schools at the same time altered their racial composition so as to be more nearly equal in each school. All senior high school students attend the high school.

Student Assignment

Several factors were considered in assigning students to elementary schools other than Jefferson. Black students already attending the six predominantly white elementary schools under open enrollment remained in those schools. Assignments were made for black students not previously attending predominantly white schools to help ensure that approximately the same percentage of black children would attend each school and that all children from the same family would attend the same school. In addition, every classroom was to have at least two black children, and students from a particular block or neighborhood in Vaux Hall were to be assigned to the same school. The superintendent noted that his commitment to assign more than one black child to a desegregated classroom stemmed, in part, from unpleasant experiences he suffered as the only German-American child in his school following World War I.

In order to attain racial balance at the two junior high schools, assignment to the two junior high schools was made on the basis of attendance in grades K-5 rather than on attendance at the sixth grade center. The assignments resulted in balancing more nearly the racial composition of the two schools.

Preparation for Implementation

School board members told Commission staff that carefully coordinated planning and organization by school administrators both in the months prior to implementation of the plan and during its early days played a vitally important role in enabling the plan to succeed. Administrators met systematically to assess concerns of the school community and various aspects of the plan.

Board members, for example, considered their community liaison function especially important. The board actively courted Parent-Teacher Associations and leading figures in the black and white communities, seeking their advice and keeping them informed at every step of the planning process. In addition, the board sought and received strong and "constructive" support from the local newspaper on educational/desegregation matters.

Moreover, during the 1968-69 school year, the school system conducted extensive programs for teachers and administrators designed to prepare staff for effective interaction in an integrated system. One elementary teacher, commenting on the human relations programs, stated that she had never worked in an integrated setting in her 20-year teaching experience. She attributed her later success in integrated classrooms and the overall school system's success to the "good and comprehensive" materials she received and the frank discussions held during the human relations sessions.

Teacher selection for Central-6 represented another area of important planning for smooth plan implementation. Teachers were permitted to volunteer for assignment at the schools. Instructors who might normally have taught sixth grade, but who expressed reservations about teaching at Central-6, received teaching assignments in other elementary schools. Nonetheless, applications for Central-6 under a "volunteer" system far exceeded available positions at the school, according to the superintendent. The superintendent also commented that Central-6 teachers represent an "extremely dedicated and effective cadre of teachers" in Union Township. The reconstituted Central-6 staff met as a faculty throughout the spring prior to desegregation in order to become acquainted and to plan the fall program.

School officials sent school assignments and transportation notices to students and their parents early in June 1969. Coordinate activity included renovation and cleaning of schools, working with the school community, and orientation of all students, teachers, administrators and parents.

Some renovations at Jefferson Elementary School (now Central-6) were necessary in view of an expected enrollment of 600 students, more than had attended Jefferson even prior to inauguration of the open enrollment policy. The food service and art room work space areas were enlarged, and two classrooms were added, as was a teacher's lounge. Extensive cleaning was done. One teacher

commented, however, that most of the maintenance work would have been necessary without desegregation since cleaning and repair of Jefferson always had been "grossly neglected." Building and grounds were in "bad shape," he noted, necessitating extensive cleaning, painting and repair during the summer of 1969. In addition, officials had streets paved and sidewalks provided to accommodate students and buses for September 1969, both services reportedly long requested by the black community. Following these changes, furniture, materials, and books were transported from schools formerly attended by sixth grade students to Jefferson.

Additional planning resulted in participation by parents, teachers and students in orientation sessions. For example, in June 1969, students rode buses to their new schools on three separate occasions thereby familiarizing themselves with the principal, the teacher to whom they would be assigned for the fall, and the school plant itself. Parents had a similar opportunity to become familiar with the school buildings and to meet teachers in evening "Open Houses" held at the plan-involved schools.

Transportation

Prior to 1969 and plan implementation, there was limited busing of kindergarten and elementary school children in the district. Only students living two miles or more away from their assigned school received transportation. Since most kindergarten students lived well

within the two mile radius, they were ineligible for transportation. Under New Jersey State law, school districts received 75 percent reimbursement for costs of students transported two miles or more from home to school.

In 1968-69, transportation operating costs actually paid by the district after State reimbursement under its two-mile rule were approximately \$25,160 or .3 percent of the district's \$7,933,800 budget.

In 1969-70, the first year of the desegregation plan, the district changed its eligibility requirements for transportation from "2 miles or more" to "1 1/2 miles or more" from home to school. Since the 1 1/2 mile policy was more liberal than the State rule, reimbursement by the State was lower, covering only about 64 percent of the cost. The school board approved this change, despite the requirement of additional local funds, in an effort to make the desegregation plan more acceptable to the school community, since young children were significantly represented in the change of schools and neighborhoods. In 1969-70, about .8 percent or \$72,714 of the district's \$8,965,000 budget was expended for transportation operating costs.

In 1970-71 and 1971-72, the remaining two years for which figures were available at the time of the Commission staff visit to the school

district, transportation operating costs amounted to about .7 percent of the overall budgets for the two years. ^{5/}

Transportation operating costs do not include new bus purchases since the State reimbursement formula differs from the formula for other transportation costs. State reimbursements to the district per bus cannot exceed \$6,000, but even so such costs absorbed by the district would not increase transportation costs appreciably.

The system's transportation officer stated that the figures quoted do not accurately reflect transportation costs attributable to desegregation since items unrelated to the desegregation process are included within the figures quoted. Figures given also reflect costs associated with transportation provided by the district for private and parochial school students, the additional costs incurred for these students under the 1 1/2 mile rule, the transportation costs for handicapped students, increased costs generally, and the rise in costs associated with the changed location of two schools at the junior and senior high school level.

^{5/} The budget in 1970-71 was \$9,918,000; \$10,737,500 in 1971-72. Transportation costs to and from Jefferson School were \$9,569 in 1968-69. In 1969-70, the first year of the plan, they amounted to \$66,190 for the school, now Central-6; in 1970-71, \$66,108; and in 1971-72, \$69,028.

The chart below reflects the types of students transported, as well as their numbers, one year before the plan and three years following its implementation. The number of buses used each year is also indicated.

KIND AND NUMBER OF STUDENTS TRANSPORTED AND VEHICLE SUPPORT*

	Jefferson-Central-6	Handi-capped	Private and Parochial	All Others	Number of Vehicles
1968-69	230	127	519	397	7 buses 5 vans
1969-70	959	135	522	819	15 buses 5 vans
1970-71	859	125	499	934	19 buses 6 vans
1971-72	803	126	492	920	20 buses 7 vans

The 8 new buses purchased in 1969-70 cost \$7,800 each or a total of over \$61,000. During the summer prior to desegregation, additional bus drivers were hired, trained and licensed. Bus aides were also employed who were responsible for accompanying kindergarten and elementary students on the buses.

*Reductions in student numbers from year to year are said to reflect the declining birth rate.

In planning bus routes, safety was the paramount factor. In order to ensure the children's safety, dual routes on opposite sides of main arteries were established in order to prevent having students cross busy streets. Further, according to transportation officials, bus stops were not placed at main thoroughfares which helped to avoid traffic tie-ups and potentially hazardous traffic conditions. Moreover, transportation staff planned student pick-ups so as to avoid contributing to traffic congestion in heavily residential areas.

Staggered school openings permitted efficient use of buses, i.e., high school students are picked up at 7:15 a.m. and their classes begin at 7:50; after an 8:15 drop off of students at Central-6, the same buses transport Vaux Hall students to the five elementary schools by 8:45. Classes begin at Central-6 at 8:30 and end at 2:30. Elementary school classes commence and dismiss one half hour later.

The average bus ride is about 20 minutes and covers about 3-4 miles. The longest bus ride is approximately 30 minutes and covers a distance of five miles. Heavy traffic rather than distance accounts for the length of time of a bus ride. The average bus ride in both time and distance is about the same now as before desegregation. Although the 1 1/2 mile rule is in effect for grades K-6, beginning at the 7th grade a 2-mile rule is in effect, and at the 10th grade level a 2 1/2 mile rule is utilized in determining transportation eligibility.

In the first days of the plan, volunteer bus aides assisted students in boarding the correct bus as an additional safety/efficiency precaution. These aides were used along with clearly marked routings and maps on each bus. There were also repeated newspaper reprints of the same maps and information during the month prior to school opening.

Teachers say that students enjoy the camaraderie of the bus rides with neighbors and friends. Furthermore, students like seeing other areas of the township as well.

One school official explained that if a child is ill, the parent is called and asked to come to pick the child up. If that is not possible, "we ask permission to put the child in a taxi or in special cases the nurse may drive the child home, but we do not involve our transportation system." In any case, no child is stranded at school if he becomes ill.

Transportation staff added that accidents other than "bruised fenders have not occurred, vandalism has been minor and without racial motivation, and no racially motivated fights have occurred on the buses."

Another school official discussing busing recalled the first day of the plan and before:

We had bus rehearsals prior to opening day and they worked well but those were not the real thing! On the first day of busing under the plan, we could see that everything was working like magic, like the Swiss movement in a clock. It worked far better than I dreamed possible.

He also asserted that everything went so well that there have been very few complaints. He added: "Then too," he went on, "the students are doing very well, so there was nothing to say." Irate calls are rare, but at the beginning "we were all amazed that we received almost no complaints."

One problem area has been the provision of activity buses. "Predictable patterns of extracurricular participation have not emerged. On certain days students participate and on others they do not. The number of activity buses needed is hard to predict, and we sometimes find ourselves with more service than we need." Nevertheless, the administrator noted that the school system is becoming more heavily involved in activity busing. Activity buses now run as late as 6:30 p.m. for junior and senior high school students, particularly those on athletic teams.

School officials assert that problems about busing relate to mundane logistics--an occasional late bus or bottlenecks around schools sometimes created by parents who drive their children to school.

Community Reaction

Predictably, public reaction to the plan was mixed. Many people in the district including most school employees, voiced no opinions. Whites fell generally into two camps, those who insisted that Federal aid should be forfeited and those who maintained, albeit reluctantly, that "compliance with the law is the course to follow."

The black community had for some time prior to actual desegregation been concerned about discriminatory aspects of public education in Union. The "open enrollment policy" instituted in 1964 had been in response to an action filed by blacks with the State education body against the system's allegedly discriminatory policies.

Despite this past activity and some black community pressure directed toward securing black representation on the board, some black community leaders had been disturbed by the Central-6 plan, which was spontaneously proposed at a PTA meeting by a white parent. The superintendent insisted that the parent was not a "plant" and that the plan was among nine given final consideration.

The "Concerned Citizens of Vaux Hall," a black group, had preferred a solution which would have paired Jefferson with two other nearby elementary schools, thereby retaining a "neighborhood" school in the community. The group had particularly disliked the Central-6 plan because it required five years of busing at the elementary level for black students and only one for white children. Suit had been filed in 1969 to prevent the Central-6 plan's commencement, but it had been dismissed and the Central-6 plan went into effect.

One black community figure later expressed the opinion that the pairing plan would have been disastrous. White flight would have resulted since the whites living in those proposed school pairing areas were the least "stable" members of the community. "White flight would have proceeded apace, hence Central-6 was much the better concept."

Other black community residents still express resentment that there is no community school in Vaux Hall, but one noted that Central-6 is the only school in the system which continues to have year-round community activities (Boy Scouts, Brownies, Bible Classes and recreational activities).

Despite lingering annoyance expressed by several black leaders, they emphasized that "students having benefitted from the Central-6 plan for there are now better, more qualified and experienced teachers at Central-6." Furthermore, "overall community cooperation is vastly improved following initial discord" and the "program has worked out well." Another Vaux Hall source stated that blacks gained generally in the broader community--"even though we lost Jefferson, we no longer feel isolated and cut off from the rest of the city since both blacks and whites now come into the community. We in turn are exposed to life throughout this city."

Although some white parents threatened to block buses following announcement of the plan, opposition remained purely vocal. One white parent who threatened to block buses physically did so not because of opposition to busing but because her child lived too close to school to

be eligible for transportation under the liberalized eligibility rule. There were no boycotts nor was there violence despite personal threats to school officials from some parents.

In almost every instance where whites expressed vociferous dismay, "offsetting" positive activity gave balance both to the community and to the situation. The PTA, in particular, "loyally supported the schools from the beginning of integration as an issue, to its end, as one." In fact, some whites who originally opposed the plan subsequently became officers in the PTA, continuing the organization's supportive roles. Also, many black and white community leaders had been involved in early discussions of desegregation. Most of the clergy, for example, served as liaison resources for PTA's and the overall township community.

Positive black and white reactions was undergirded by the local newspaper, the Union Leader, which "supported the school system 100 percent," according to a leading school official. One community leader reported that "the local media was most cooperative, for it had not interfered nor sought to blow any negotiations concerning the plan out of proportion." The national media had not played a similarly constructive role as it had demanded admittance to board and community meetings during the desegregation program planning period. These demands were rejected, and "problems encountered later were therefore not unduly publicized, which had important benefits for the climate surrounding planning."

School officials declared that "there was little or no white flight" and "those few who did leave are returning to the system." One school official stated specifically that "six students left and four have returned." He pointed out, as did several other community leaders interviewed by Commission staff, that private and parochial school enrollment is dwindling and that Union Township is now receiving students who had left nonpublic schools.

One school administrator commented that at the first opportunity for Union Township citizens to vote on the school system's budget following plan initiation, the budget was defeated.^{6/} He said that the reason for its failure to pass might have been, in part, because of the integration controversy and, to some extent, to teacher militancy (there had been a brief salary strike by teachers). He declared, however, that it is difficult to "monitor motivation." Moreover, he continued, it is true that fixed-income community residents are being "ground up by the economy" and tend to vote against increases for anything.

School board elections revealed no indication of public discontent over school desegregation. In an election following integration of the schools, incumbents who, as noted, supported the plan, returned to office, defeating "two somewhat subtle anti-busing candidates."

^{6/} The budget was later accepted following nominal budgetary cuts connected with buildings and grounds maintenance.

Among those returned to office was a black CPA who had been appointed by the board to fill a resigning board member's unexpired term following alleged pressure from the black community for participation, the death of Dr. Martin Luther King, Jr., pressure from HEW for desegregation of the schools, and the board's own recognition of the need for black input. He has now twice been returned to office in district-wide school board elections.

On February 13, 1973, a new reading of community sentiment was registered in a board election and vote on the school system's budget. The three incumbents placed 1, 2, and 3 in the voting and were returned to office. Further, the one candidate who had raised the "neighborhood school" issue received the fewest votes of those running for the board. The busing issue in Union Township has, to date, simply not been a political hot potato. As one long time resident said:

Most board members had already served long terms and had become knowledgeable about school matters, so the community was willing to take 'a wait and see attitude' and it looks like they've decided that the board 'was right.'

Moreover, the light voter turnout also approved the budget in a year when budget votes were "catastrophic" for New Jersey school districts generally. Most see the election returns as a vote of confidence in the school management and of satisfaction with the way things are going.

A veteran board member felt that Central-6 is now the best school in town.

The PTA is pleased with plan results and parents who originally objected to the plan now like it, claiming it's the best school their children have ever attended. Furthermore, the community has not suffered from desegregation in any way. If only we would leave kids along, there would be no problem.

He continued:

Blacks don't want to go back to the old system; they don't complain that their children are frustrated in school, and whites don't complain that their children are held back.

Another school official said "as students came to accept the plan, so did their parents."

Student reaction, like overall community reaction, varied. One white student who attended eleventh grade in Union Township stated unequivocally that he was against busing as well as integration saying: "busing is not good for education and the quality of education has suffered." A black eleventh grader, however, said that she felt getting to know kids of other races was a very valuable experience, an experience which she might not have had if the schools had been segregated. She further commented that her parents, her parents' friends and her own friends approved of integration.

Younger students, both black and white, who had attended desegregated schools in the primary grades when the plan was first adopted commented that "education was better than ever" and they had "all kinds of friends."

At Central-6, one administrator discussed student relationships:

There is no bullying, more educational innovation is possible with one grade in the school, the cafeteria is integrated (no segregation occurs), kids work and play together and clubs are completely mixed (dramatics, chess, choir and the like).

An interested observer who visited Central-6 remarked about "the exceptional atmosphere of warmth which exists there." A white parent commented: "My daughter loved Central-6 so much that she cried when she graduated--she wanted to stay there." Another white mother heard from her daughter about her "wonderful teacher." Despite hearing daily recitals from her child about the teacher "paragon," not until she met the teacher did the mother learn she was black. Black and white students at Central-6 attend each other's birthday and group bowling parties.

The positive reaction of young students was confirmed in a random sampling in a sociometric exercise given in grades 4, 5, and 6. Each child in a specific classroom rated himself and every other classmate on a five-point scale ranging from "I like this person best of anyone in my class" to "I wish this person were not in my school."^{7/} Of the choices of blacks made by whites, 71 percent ranked in the first three categories (the most positive). Seventy-five percent of black choices for white students fell into the top three categories.^{8/} Black ratings

^{7/} Categories include: "I like this person best of anyone in my class, he is a good friend, he's okay, I don't like him much, and I wish this person were not in my school."

^{8/} Integration: Union, New Jersey--Integration in Union Township Schools, Union, New Jersey. Dr. Fred Stahuber, Superintendent, Fred Helwig, President, Board of Education, September 1971. pp. 52-53.

of themselves as they perceive their own social acceptance in the total group found 90 percent of the choices in the three categories. ^{9/}

In short, for most elementary school children in Union, integration has become a way of life during their public school years. Both administrators and teachers observed that children play and study together and that genuine personal relationships exist which seem to carry over to junior high schools.

The district has attempted to design a plan which would permit school officials to monitor aptitude, achievement, and attitude of students involved in the integration process. Interesting comparisons exist between scores made by students in 1967-68 and those in 1970-71. ^{10/}

For the fourth grade students tested in 1967-68 and 1970-71, there is an increase in achievement on the Iowa Basic Skills test for the typical black student. The composite score for black students was at the 21st percentile in 1967-68 and rose to the 42nd percentile in 1970-71. Scores of white students remained fairly constant. ^{11/}

The Iowa Basic Skills Test Administered for grade 5 shows a composite score for whites exactly the same in 1967-68 and 1970-71 (73rd percentile), although black scores show growth in a positive

^{9/} Ibid. p. 54.

^{10/} Ibid. pp. 46-51.

^{11/} Ibid. p. 46. The composite score for whites showed a slight drop although some individual areas listed showed an increase. The drop was from the 67th percentile to the 63rd percentile. Although the analysis indicates the category "all" rather than "white", school officials subsequently reported "all" as white because the figures from both categories were substantially the same.

direction in all categories. Composite scores for blacks increased from the 26th percentile in 1967-68 to the 39th percentile in 1970-71.^{12/}

In explaining the jumps in achievement by black students, teachers insist that teacher influence, dedication, and effective teaching techniques are responsible. Other teachers also suggest that the scores reflect greater interest and conscientiousness displayed by teachers following integration. There are, as well, full-time Title I teachers^{13/} at every elementary school.

At Central-6, there is a full-time nurse, full-time tutorial teachers, a full-time learning disabilities specialist, and a psychologist, psychiatrist, a speech therapist and a corrective gym teacher available part-time. The result is a "greater opportunity for individual help." Musical instruments are available to music students free of charge.

One teacher commented that Central-6 has helped prepare students for junior high school, and because black and white students have known each other at Central-6 and before, "they are well-adjusted and less aggressive" when they reach the junior high schools. There is healthy competition between blacks and whites, he thought, and black students generally are "making it."

^{12/} Ibid. p. 47.

^{13/} Title I of the Elementary and Secondary Act of 1965 provides financial assistance to local educational agencies serving areas with large numbers of children of low-income families to expand and improve their educational programs which contribute particularly to meeting the special educational needs of educationally deprived children.

Another administrator said that Central-6 does a "heck of a job" getting students ready for 7th grade. Sixth graders are all in one school and the staff is trained to handle the needs of the sixth graders.

At the junior high school level many new programs have been introduced, but school officials insist that the need for them was recognized prior to desegregation, hence they were offered before desegregation. They are aware that many more students avail themselves of these programs now. One junior high school provides developmental reading courses, learning disability advice, employment orientation programs, and a core teacher program for English, history and mathematics.

Senior high schools use some ability grouping, but classes are all integrated. A sore point among some district residents concerns the very low number of minority group teachers and administrators in the school system. There is not a single black principal or assistant principal and the minority faculty does not closely approximate the overall minority student population of the district (minority teachers are said to comprise 4-5 percent of district faculty). School officials said that government tends to lure away good black teachers, tenure laws make promotion difficult, and lack of turnover keeps the system from hiring (turnover was said to be 7-8 percent annually). One community leader asked: "Why, after doing a beautiful job on student desegregation do they permit this Achilles heel to remain?"

Educators within the district are cautious about their appraisals of student achievement, preferring to defer judgment so that sound, objective analysis of educational improvement can be made, probably with the class which entered kindergarten in the 1969-70 school year. Yet, all in all, school system leaders are quietly pleased with progress being made both academically and attitudinally. School officials hope these gains will continue, particularly since they believe the level of aspirations for all students has clearly been raised.

Incidents and Discipline

The only racial incident of any importance which school officials pointed out to Commission staff occurred in 1970 when some black students took over the high school cafeteria for one day's protest. Two subjects of protest were apparently unrelated to the schools (police brutality and lack of public transportation from Vaux Hall to other parts of the city). The third issue was the lack of black faculty and administrators. School officials state that the high school was closed for one day, but that there was no violence nor were there arrests.

The two hundred suspensions at Union High School for the 1972-73 school year represents an increase, according to school administrators. Main offenses are smoking and insubordination to teachers. Blacks are suspended more often than their percentage in the overall enrollment would suggest. No hall monitors are used in the schools except at lunch time.

At the junior high school level, there were reportedly 100 suspensions between September and December 1972 in one of the two schools. The major offenses there included: smoking, tardiness, bad language and truancy. Petty shakedowns and extortion are rare, Commission staff was told.

School staff said that parents and students do not complain of lax or unfair discipline, and aside from a few racial taunts and some jostling from time to time, there have been no interracial fights. Automatic suspension follows any fights, but a Juvenile Conference Committee of teachers, parents and administrators handles appeal cases. There has been no increase in suspensions since desegregation (the increase previously indicated is between two post-desegregation school years) and there have been no expulsions in the district this year. At Central-6, there have been fewer than five suspensions for the entire year, fewer than before desegregation. A black teacher considered white teachers and the school board to be generally fair to black students. She concluded that "there are no serious problems affecting black students in the schools."

Prognosis

The superintendent and several board members, as well as black and white community leaders, state that if anti-busing legislation were proposed, the community as a whole would probably vote to return to the neighborhood school despite the enthusiasm that most citizens

have for Central-6. They suggest that the Nation pulling one way and the school system another would be too much to withstand, but they are proud of their achievements in Union Township and deplore the possibility of a return to the past.

Observers of the Union Township scene attribute the desegregation plan's success to the board's early positive unanimity, its ability to "stick to its guns," the dedication and commitment of the superintendent of schools, the enthusiasm of teachers, and to the support of the local media. Careful preparation and systematic contact with all elements of the community kept the "bigots from coming out of the woods." Because of this firm and determined leadership, Union Township was able to avoid most of the hysteria and blind resistance which troubled other school districts. As one school board member summed it up: "Children are learning and no one has suffered in the Township because of integrated schools. In fact, the Township has become more closely united, and we hope to keep it that way."

RIVERSIDE, CALIFORNIA

Riverside, a city of about 150,000, is the seat of Riverside County and is located about 50 miles East of Los Angeles on the Santa Ana River near the San Bernardino mountains. It is an agricultural community noted for citrus fruit processing--packing and shipment--and is said to be the largest navel orange producing area in the world. In addition, bricks and tile, venetian blinds, and air conditioning equipment are manufactured in the city. The city is picturesque--public buildings resemble old Spanish missions and tropical trees and plants line its streets.

Education plays a vital role in the community's life since the University of California at Riverside (UCR), Riverside City College, Sherman Institute for Indians (largest Government Indian school in the United States), California Baptist College and the La Sierra Campus of Loma Linda University are all located there. Riverside has 35 elementary and secondary schools, all of which are desegregated, and a student enrollment of 25,555, of whom 81 are American Indian, 2,381 black, 204 Oriental, 3,623 Spanish-surnamed and 19,266 white. ^{1/} The school district's minority population in the 1972-73 school year was approximately 24 percent.

Historical Background Regarding Desegregation

In the first four years of the 1960's the majority and minority communities, as well as school administrators, had become increasingly

^{1/} Fall 1972 Elementary and Secondary School Civil Rights Survey, Department of Health, Education, and Welfare, Office for Civil Rights, OSCR 101, dated November 15, 1972. (Riverside Unified School District)

concerned with problems of school segregation. For example, the Lowell Elementary School had been until about 1951 a virtually all-white school. New schools (Victoria and Emerson) opened in 1955 and 1956 causing a drain on Lowell's white students. In addition, minorities began to move into the Lowell attendance area. By 1960 the school had become about 50 percent minority. In 1961, another school was scheduled to open (Alcott). Upon Alcott's opening, only 35 white students would remain in Lowell out of approximately 360 students. Inasmuch as school administrators projected below-capacity enrollments in several nearby schools (Irving, Emerson, Longfellow and Alcott), the board wanted the superintendent to consider closing Lowell and transferring its students to three other schools. Opposition to closing Lowell came at once from the minority community because the schools to which their children would be sent would be segregated and inconvenient (probably Emerson and Irving). On May 1, 1961, the few remaining white parents in the Lowell attendance area petitioned the school board objecting to the school board plan for Lowell.

The petition requested the board to restudy boundaries of schools in the Lowell area and stated in part:

The above mentioned group of citizens wants the neighborhood to remain integrated and desires to maintain a balanced ratio of integration.

This group wants their children to have the privileges and the responsibilities which go with the right to attend and be fully educated in an integrated school.

This citizens' group thinks that it is unfair and not in the American tradition to deny any racial or religious groups the motivation and the superior program that inevitably go with integrated Riverside City Schools. These citizens further believe that the schools have a responsibility to their majority groups to teach them to live in harmony with Riverside's minority groups.

Lowell school has been a model integrated school, a credit not only to the city, its school officials, and the Lowell principal and his staff, but also to the nation and a world in great need of examples of how to live together. Our group is proud to be a part of such a school, and those of us who are living in an integrated neighborhood are morally proud of this fact. We sincerely ask the Riverside School Board's aid in keeping the school the model that it is, or providing its equivalent. This is necessary in order to keep the adjacent area one in which we can all, regardless of race or ethnic difference, take pride. ^{2/}

In response to the petition, the board appointed a study committee (the Lowell Study Committee) to consider the problems of Lowell and integration in Riverside generally. After considering numerous proposals, the Lowell Study Committee made two recommendations:

(1) ...the best solution to the Lowell problem would be one of controlled dispersal of the upper grades into as large a number of Riverside schools as is feasible, and we recommend that the Board of Education and the school administration implement such a program for September 1961.

2/ Quoted in The Development of a School Desegregation Plan in Riverside, California: A History and Perspective by Irving G. Hendrick, September 1968, p. 56.

(2) We...urge formation of a city-wide committee for study of the overall problem of integration in regard to schools, housing, and recreation and recommend that the Board of Education wholeheartedly support, and be represented on such a committee. Several members of the Lowell Study Committee have expressed a willingness to serve on such a committee. 3/

The minority report supported the first recommendation but urged that Casa Blanca and Irving Schools, which also were heavily minority, be included in the plan as well as Lowell by the Fall of 1962. 4/

The school board sought guidance from the superintendent, who announced a plan on June 28, 1961, which provided for open enrollment for fifth and sixth graders attending Lowell. The plan went into effect in September and had the result of increasing segregation at Lowell. The superintendent believed, according to the chronicler of the history of desegregation in Riverside 5/ that lasting integration would require busing which he was unwilling to seek without strong community backing.

In 1964, open enrollment was expanded to include Casa Blanca and Irving (the two other minority schools). All grades were permitted to have open enrollment rather than just the fifth and sixth grades, as under the plan established by the superintendent in June 1961. Neither this action nor the boundary changes made in 1963 changed the segregated conditions at Lowell, Irving, or Casa Blanca.

3/ Ibid. p. 60

4/ Ibid. p. 60

5/ Ibid. p. 64

Next, compensatory education became a focus of the school board's attention. The limited compensatory programs initiated, however, did not bring about significant changes in achievement. Despite the relative ineffectiveness of the compensatory program, the Board of Education received an award from the Riverside NAACP on May 16, 1964, for "outstanding service to the community" in acknowledgment of the program (compensatory education) initiated to combat problems involved in de facto segregation. Thus 1963-64 and 1964-65 were years of tranquility, although in discussions between school administrators and community representatives concerning compensatory education, concern was expressed by minority community leaders that the problem of de facto segregation not be forgotten while working with compensatory education.

On May 17, 1965, the associate superintendent's "Supplemental Report on Instruction, 1964-65" was presented to the board. In that report, the associate superintendent wrote:

Considerable thought and effort should continue to be found (sic) not only on how to improve programs in de facto segregated schools, but how to eliminate the schools themselves.

This recommendation was not immediately discussed by the board and on September 1, 1965, when school opened, the district was as segregated as it had been in 1961.^{6/}

^{6/} Ibid. p. 81.

In the 1964-65 school year, of Casa Blanca's enrollment of 465 students, there was one majority group child. The rest of the student body consisted of 133 blacks, 330 Spanish-surnamed students, and one "other" student. Irving was 100 percent minority (183 black, 142 Spanish-surnamed and one "other minority"). Lowell still enrolled seven majority group children as well as 198 blacks, 145 Spanish-surnamed students, and two "other minority." 7/

Minorities were keenly disappointed by the compensatory education program's failure to show significant achievement gains by minority students. This disappointment coupled with general minority dissatisfaction with the quality of education their children were receiving helped to precipitate continuing pressure for integration. The procedure for transfers under open enrollment was cumbersome and burdensome. 8/ A number of minority parents who felt they had "received the runaround" met on September 1, 1965, to discuss the transfer policy and agreed to

7/ Ibid. p. 84

8/ Ibid. p. 94. Under this procedure, parents had to file a written request in the Office of Child Welfare and Attendance at the downtown administration building, indicate first three school choices, state the reason the request was made and then wait up to three weeks to learn whether the transfer was granted. Transfers were granted following the opening of school if there was room in the school requested. During the waiting period, students were expected to enroll in the neighborhood school.

convene a larger group for September 3, 1965. At the second meeting, it was agreed to circulate a petition calling for the closing of Lowell and Irving and to press for integration of the schools. The petition, signed by about 400 people over the Labor Day weekend, stated:

We...do hereby petition the Riverside School Board to take affirmative steps to improve the educational opportunities for minorities and to eliminate segregation in city schools by closing Lowell and Irving schools and by reassigning these students to other schools in the area which have previously had less than 10 percent minority students. 9 /

The group prepared to meet with the school board on the afternoon of September 7, but in the early morning hours of September 7, six classrooms and an auditorium burned in the Lowell School. Arson was suspected.

The combination of the Watts riot a few weeks earlier, the suspicion of arson at Lowell and the petition and minority group pressure acted as catalysts, spurring the board to action.

The superintendent first recommended at a September 7 board meeting that children at Lowell (the burned school) should attend Lowell on double sessions as a temporary measure. This caused an intense negative response from the minority community and a school boycott was planned and executed by minority parents on September 13, 1965. It lasted for one day since the board began thereafter to take action more in line with minority wishes. The board agreed to develop a complete desegregation plan within thirty days.

The Plan

On October 18, 1965, a Proposed Master Plan for School Integration was presented to the school board for discussion by the superintendent. The plan called for the closing of Lowell and Irving (predominantly black) for the 1966-67 school year. During the 1965-66 school year, all K-3 pupils at Lowell would be transferred to other schools, since the primary classrooms had been destroyed by the fire. The following year 100 K-6 students living on the dividing boundary would be transferred to Alcott and the remaining students would be integrated in other schools in which the racial composition would allow additional minority students without disturbing the racial balance of the schools. Lowell property was to be sold. Irving kindergarten pupils would be transferred in 1965-66 along with the primary pupils from Lowell. In 1966-67, the remaining Irving students would be transferred to other schools where the racial composition of the schools would permit Irving students to enroll while maintaining approximate racial balance in the schools. The physical plant would thereafter be used for programs to improve educational opportunities for all district students (Headstart, reading clinics, and adult education). As well, in February 1966 about 126 pupils were to be transferred from Emerson (nearly half minority) to two other elementary schools in an effort to remedy Emerson's racial imbalance.

The plan, by closing two predominantly black schools and transferring minority students from those schools to schools throughout the district, resolved several issues but left unresolved the question of Casa Blanca Elementary School. A "Casa Blanca Study Committee," consisting of community representatives (predominantly Mexican-American), was appointed on November 1, 1965 to study how Casa Blanca could best be integrated. The committee ultimately recommended that Casa Blanca

students be transported to other schools in 1966-67, leaving 250 students at the school. The school was to be "phased out" in 1967-68.

Children at Lowell did not go on double sessions in 1965, but instead, primary grade pupils were transported by the district to other schools where room was available.

The desegregation plan also dealt with such other important matters as "transitional education" (enrichment programs, tutorial help and remedial reading classes) and the development of libraries, provision for new curricular approaches, the adoption of a policy to preclude resegregation, analysis of classrooms needed to implement the integration plan and the cost of the plan.

Combined with the "Proposed Master Plan" was a set of educational goals, the most comprehensive of which is one to "help every person achieve his full potential as a contributing citizen."^{10/}

Preparation for Implementation

In preparing for the transfer of nearly 1,000 students, logistics played an important role. The school system concentrated on having portable classrooms resituated or new ones built, coordinating bus schedules, routes, and times of school openings, and on reassignments

^{10/} Ideas and programs being worked on by the district to bring about this goal include: balanced classroom integration, "Headstart" programs, flexible kindergarten--primary programs, team teaching, classroom aides and use of community resources, more accurate presentation of the rich heritage of all Americans, grouping practices which adapt to true needs and abilities rather than stereotyped patterns, controlled teacher loads and class size, and research and evaluation of developments.

of students, teachers and administrators. School administrators and teachers point out that those administrative measures were developed to help assure a smoothly efficient operation at the time of plan implementation. But as one school official put it: "The human aspect was by far more important." It is this aspect which school officials emphasize in discussing the overall planning for the transfers which they deemed critical for the success of the changes both in 1965 and 1966.

In-service teacher and administrator courses were held dealing with issues of intergroup relations, and high administrative officials met with minority parents to discuss the plan and its significance for them and their children. Teachers met to talk about the role of teachers in integration, parents and students visited their new schools, tours of school facilities took place, and children were entertained by their new classmates. Children who were friends were generally assigned to the same school, classrooms received approximately the same percentage of minority students as in the school as a whole. Constructive efforts were made to help new teacher/parent, teacher/student and student/student relationships flourish. Nearly every group of workers concerned with schools was briefed. Their support was sought in order to preclude communication breakdowns at any level.

Discussions on intergroup relations were held with teachers at various schools. A larger group of teachers from several schools and community members met to hear a lecture presentation on intergroup relations.

A 1966 summer project was conducted involving about 80 people-- mostly teachers--in an effort to make teachers more effective in working with children of different races and cultures. There was also informal follow-up contacts made with participants. ¹¹ /

Following these in-service experiences, the District administrators felt that it was necessary to design a unique training program. Such a program would, hopefully, enable individuals to solve better the problems incidental to desegregation by providing opportunity to develop true sensitivity in the area of understanding the disadvantaged and culturally diverse child. It was recognized as important that the program would involve as many of the school personnel as possible, including Board members, secretaries, custodians, aides, and others. Also to be included were various persons from the community, including parents, recreation and law enforcement personnel, and members of ministerial, professional, and business groups. From the results of the earlier experimental workshop, it was decided that desired changes in attitude and behavior would require active involvement of all participants. With this in mind, small group discussions, open confrontations of feelings and fears, and other varied opportunities to communicate with people with a variety of life styles and backgrounds, were planned. Finally, it was agreed that rather than focusing only on the problems of integration, the seminars would concern themselves with "problems of education in transition," of which integration was certainly a prominent one, and

¹¹ / The Development of A School Integration Plan in Riverside, California-- A History and Perspective by Irving G. Hendrick. September 1968, p. 167. See also, Thomas P. Carter, Edward J. Casavantes, and C. Ray Fowler, Final Report and Evaluation of the Riverside In-Service Institute, (Riverside: Riverside School Study, 1967), pp. 2 and 17.

thus would attempt to analyze the school's changing role in modern society. The workshops included four separate sensitivity-type training programs involving administrators, psychologists, teachers, counselors, community aides, parents, and community members associated with the Riverside Unified Schools. The workshops were financed by a grant from the Federal Government under the Civil Rights Act, Title IV, Section 405. The programs took place during the months of April, May, August, and November 1967.

How influential these experiences were in the solutions to problems resolved during the year, or in preventing issues from becoming problems, will never be known. However, both the personal responses and the formal evaluations indicated positive results. There was a firm conviction that the program had much to do with the success of integration in the schools and established a useful design for achieving better understanding and awareness of the school's total responsibility to the community. 12/

Teachers visited in homes explaining, reassuring, and easing any problems thought to exist by parents and students. As well, nonprofessional community aides were used extensively. They visited parents of students being transferred to give information or to assist parents with their problems. The use of aides indigenous to the area helped, according to school officials, in maintaining open and friendly lines of communication. The school system also enlisted the assistance of volunteer aides for the schools--mostly parents--to assist with small group activities and individual help for students.

12/ Workshops on Education in Transition: An Experiment in Viewing the School's Changing Role in a Community by Mabel C. Purl, June 1968, Riverside Unified School District, pp. 2-3 and 6.

Almost every effort made for plan preparation and every activity provided during the actual early operation of the plan was directed toward effective communication between schools and the community.

Transportation

In 1971-72, 5,079 students in the school district were bused to school; of this total number, 29 percent or 1,471 were transported for the purpose of integration. A bus run for integration covers approximately five miles. A regular bus run, unassociated with integration, is about 10 miles. Both rides take approximately 30 minutes. The longest bus ride is 50 minutes and students who ride for this length of time are not transported for the purpose of integration.

There have been no serious accidents since the implementation of the desegregation plan, according to school officials. The transportation director who came to the Riverside school district shortly following the initial stages of the desegregation program stated that busing for integration has not created any problems which he had not already experienced with "regular" busing in integrated systems.

The district has experimented with cassettes which have recorded Mother Goose stories for elementary children and contemporary music for junior high school students to listen to during bus rides. As a result the buses have therefore been orderly and quiet since the youngsters have been keenly interested in the cassette offerings. The transportation director commented, "We have taken a positive approach and have been repaid because the children have taken to riding buses like 'ducks to water'." He also stated: "Our transportation department has control over all aspects of transportation. The system controls scheduling students, discipline, training, and safety. In discipline cases parents are brought in from the very beginning, but discipline has not been a problem because

our emphasis on safety and enjoyment has caused little need for disciplinary action."

The system has a 70-hour driver training program. Of those 70 hours, 40 are devoted to classroom training in which defensive driving, parent-student relationships, relationships with exceptional children, and rules and regulations of the State Vehicle Code are emphasized. In addition, there are 10 hours of first-aid training given in the classroom. There is also a minimum of 20 hours of behind-the-wheel instruction. Only adults may drive school buses.

"There is very little vandalism although students find it a 'marvelous prank' to dismantle seats," said the transportation officer. He added: "There is no real damage." There have been no incidents of violence directed against occupied or unoccupied buses and no resistance to busing. In fact, Riverside parents want more busing for activity tours, athletic trips, educational outings, and field trips. The transportation department tries to meet these requests. Incidents between students on buses have been rare and are usually not racially motivated. Those few instances involving racial motivation have been isolated and are minor occurrences according to staff of the transportation division.

Elementary students in grades K-3 who live more than one mile from school and elementary students in grades 4-6 who live beyond two miles are eligible for transportation. At the middle school level (grades 7-9) students are eligible for transportation who live more than two miles from school and at the high school level students who live beyond three miles are eligible for transportation.

District costs for transportation by year are outlined below in a chart prepared by the district.

RIVERSIDE UNIFIED SCHOOL DISTRICT

ANALYSIS OF INTEGRATION TRANSPORTATION COSTS

<u>INT. PROGRAM</u>	<u>FISCAL YEAR</u>	<u>TOTAL H/S TRANS EXPENSE</u>	<u>NO. STUDENTS (ALL)</u>	<u>COST PER PUPIL (ALL)</u>	<u>NO. STUDENTS (INT)</u>	<u>TOTAL COST INT. TRANS</u>	<u>STATE REIMB. INT. STU.</u>	<u>TITLE I REIMB. INT. STU.</u>	<u>DISTRICT'S NET COST INT. TRANS.</u>
1st Year	1965-66	\$ 139,084	2,398	\$ 58.00	337	\$ 19,546	\$ 4,351	\$ --	\$ 15,195
2nd Year	1966-67	204,705	3,293	62.16	835	51,904	15,982	12,100	23,822
3rd Year	1967-68	230,982	3,988	57.92	1,250	72,400	17,713	48,800	5,887
4th Year	1968-69	248,897	4,593	54.19	1,366	74,024	17,895	55,000	1,129
5th Year	1969-70	270,633	4,987	54.27	1,664	90,305	22,397	55,000	12,908
6th Year	1970-71	273,830	5,097	53.72	1,730	92,936	21,383	16,632	54,921
7th Year	1971-72	266,702	5,079	52.51	1,471	77,242	17,373 *	16,237	43,632

STATE REIMBURSEMENT APPORTIONED TO INTEGRATION STUDENTS

<u>FISCAL YEAR</u>	<u>STATE REIMB. (ALL)</u>	<u>TOTAL STU (ALL)</u>	<u>REIMB. PER PUPIL (ALL)</u>	<u>INT STUDENT</u>	<u>STATE REIMB. FOR INT. STU.</u>
1965-66	\$ 30,966	2,398	\$ 12.91	337	\$ 4,351
1966-67	63,044	3,293	19.14	835	15,982
1967-68	56,529	3,988	14.17	1,250	17,713
1968-69	60,148	4,593	13.10	1,366	17,895
1969-70	67,129	4,987	13.46	1,664	22,397
1970-71	62,990	5,097	12.36	1,730	21,383
1971-72	60,000 *	5,079	11.81 *	1,471	17,373

* Projected

Community Reaction

Riverside voting patterns immediately before and after implementation of the desegregation plan in 1966 are indicative of the change in the community's reaction. On June 7, 1966, before plan initiation, when it had been announced and was well known to the community, there was a vote on a school tax increase. The proposed increase was voted down. Although this may have reflected anti-integration backlash, it should be noted that at the time the defeat occurred such failures were common in California.

On May 23, 1967, a second tax override election was held, this time requesting a greater increase than in the previous year, and it won by a small margin.

The year the desegregation plan went into effect (September 1966), there was a November 28, 1966 board election in which the Board Chairman, Arthur L. Littleworth, and the Board clerk, Mrs. Evelyn Kendrick ran. Both had been staunch and unswerving supporters of integration and both ran on their records. Each won by substantial majorities over their opponent who is said to have rejected obliquely integration achieved by busing.

During 1966, Arthur Littleworth, who had taken an extremely active role and forthright position on integration even before it became a public issue, received a Riverside Civic League Award as an "outstanding citizen."

In another board election many years after implementation of the plan (November 1972) three incumbent board members were returned by overwhelming margins to office. All three had strongly supported integration policies. These candidates reportedly won against opponents who did not support busing for integration purposes. Yet the same electorate, as one

school administrator said, "apparently not making the connection, voted 2-1 to pass Proposition 21 (the Wakefield Amendment)" which provides, in part: "No public school student shall, because of his race, creed or color, be assigned to or be required to attend a particular school...¹³ The same administrator also commented that in the past three or four years he has felt more negative community reaction than he felt in the first years of the plan. "Television, the Los Angeles news reports, and lack of information tend to cause people to generalize from the big scene rather than to look at what our own situation is," he said.

One white mother commented that the desegregation plan's weakness is that "the students who are bused are known as 'bused kids' and they are restricted from activities because of bus schedules." "Still," she added, "desegregation is more successful than I ever dreamed it could be."

A white counselor stated:

Things are going well, but there is a lot to be done, particularly in sensitizing teachers. How do you get across to a teacher what's wrong with 'I treat every student the same' even though the effect of that treatment is perceived differently?

Another white school official said that her friends still really have not accepted integration in Riverside:

They're at the stage that five or more of a minority group together have got to be trouble. Yet we have had so few incidents (racial/ethnic) in Riverside, that they must be reading the papers about bigger and more terrible issues somewhere far away.

^{13/} Proposition 21: "The Wakefield Initiative," California, October 1972.

A black teacher commented:

There are no people who are vocal against integration. The schools have pretty good standing in the community--there is basic trust. If there is dissatisfaction, it may be with some of the teachers because under our system, they now have so much more responsibility.

Another observer stated:

The newspaper (Press Enterprise) helped to create a climate of acceptance by reporting things in great detail and telling it like it is. Latent negative attitudes are still in the community, but some of this has been overcome by an awful lot of conscientious effort on the part of the school community (which is reported in the Press-Enterprise) to meet and to negotiate with all concerned with schools in good faith.

A white mother pointed out:

One sign of the strength of the community during integration is the effectiveness of the PTA's and the lack of white flight. There has been no organized opposition and the community overwhelmingly supported the desegregation plan because they felt no harm would come to the white child because of the history of the superintendent and the school board as the protectors of all children.

According to principals and teachers expulsions are not a problem. One administrator said: "We expel students for unprovoked violence and drug selling and distribution and we average about 20 a year." The reentry process begins the day expulsion occurs. The student can come back if there is real evidence of a desire to cooperate. In the area of discipline, the administrator said, "smoking is our biggest problem."

Another indication of community reaction comes from a Mexican American parent who said:

I take my mother to PTA even though she doesn't speak English, and I translate for her so that she will be a part of the meeting like me.

Students (black, brown and white) interviewed by Commission staff said that teachers are generally fair to all students. Students generally had at least a few friends of an ethnic or racial group not their own. Following a fight between a white and black student, fellow students both black and white intervened, asking the principal not to expel the two. He agreed and they remained in school. According to several principals community cooperation in the desegregation effort has been excellent. One principal said that the key is knowing the families in the area. He concluded: "Good leadership from the superintendent with decentralization and an open door policy has made Riverside a success."

Community residents interviewed by Commission staff stated that quality education goes on in Riverside, hence there has been no white flight.

A Mexican American parent commented:

There is very little interest in returning to the neighborhood school now and only 5% would be interested in such a proposal. This may be in part because of the leadership of the superintendent. The superintendent's attitude in any district is paramount. The superintendent must believe in integration in a subjective sense. Here he's committed morally and professionally to the idea that an integrated school system serves the welfare of the community.

He concluded:

The community has adjusted to the present situation and is satisfied; the community would not like a change.

One group of Mexican American parents voiced several displeasures: school staff members were not sensitive to Mexican American children; teachers need more training; more aides are needed; there should be in-service training for parents; and there should be community control. On one point, however, they were positive: Integration in the school district was working well.

Quality of Education

Riverside traditionally has had a strong commitment to education. This commitment has grown stronger in the years since the schools were desegregated. The superintendent explained the educational approach of the Riverside schools since desegregation:

After closing three de facto segregated schools and physically moving children, we began to see massive educational change, change from a bureaucratic situation to an educational program which serves all children. For our job is to educate all children, whether they have upper or lower socio-economic status. We are in the process of creating a school system for everyone and devising techniques which find ways to help us get to a child and his family in depth.

In moving to a "school system for everyone," there has been a major policy of "personalization." Decision-making is decentralized providing for "participation management." Thus, decisions on school

policy are not made and handled from the superintendent's chair. Rather, staff members actively participate in the process. For example, the system has individual school budgeting and program planning. The superintendent states that this policy has instilled new enthusiasm in administrators because they are getting satisfaction from the heightened responsibility, although salary levels are low. Morale, particularly at the elementary school level, is high. It is in elementary schools where the fullest flowering of participation in management exists, according to school officials. Not only is morale high, but central office administrators comment that the schools are being run more effectively.

It is board policy to encourage schools to be innovative and to try out new ideas. The superintendent states:

This means that schools won't be the same. There is freedom to try new techniques. The implementation process is managed through a League of Schools. K-12 schools in each of four areas form a league and each league develops educational plans.

The new system, continues the superintendent, has several hundred volunteers who work closely with teachers and children. To some extent, this has been made possible through broadened school-community relations. The personalized relationship with the community has resulted

in full parent awareness and support. ¹⁴ / As one administrator stated:

We find a way to communicate. Children bring to school what the parents think and feel. We try to reach them because no matter what parent you talk about, he basically wants a sound, total education for his child.

14 School attitude tested at the end of kindergarten ('66), first grade ('67), and third grade ('69) revealed that in all three years the attitudes of Anglo pupils were significantly more positive than the attitudes of minority pupils.

Results obtained from a questionnaire administered to parents in 1969 were compared to results obtained in 1967.

a. In both 1967 and 1969, about one-fourth of the parents perceived problems resulting from busing. More Mexican-American parents reported problems than did black or Anglo parents.

b. Over 80 percent of the parents believed that the quality of education was as good or better in integrated schools than before integration. Slightly more than 10 percent said that their children had more difficulty learning in integrated schools; about 60 percent said that teachers have more difficulty teaching.

c. More than 90 percent of the parents said that the children and teachers were at least as friendly after integration as other children and teachers had been before. Minority parents were slightly less positive than Anglo parents in 1967, but this difference had disappeared by 1969.

d. The majority of parents of all ethnic groups after one and after three years of integration reported the same or fewer problems in most types of extra-curricular activities. Black parents saw more problems with social activities in 1969 than did Anglo or Mexican American parents; in 1967, Mexican Americans had reported more problems than had others.

e. Approximately 90 percent of the parents said that their children liked school and seldom or never wished to go to another school. There were few differences in the responses of the three ethnic groups and little change from 1967 to 1969.

The Longfellow Elementary School is the poorest school (socio-economic status of students), but under its principal, David Tew, materials have been developed by the parents and staff of the school to provide a process which makes greater achievement possible. The school, utilizing the LASER technique, ^{15/} has moved from the lowest in the district in measured achievement to the highest.

The superintendent, when testifying before the U.S. Senate Select Committee on Equal Educational Opportunity ^{16/} stated:

I think we have to stop talking about integration as something for minority children. That becomes a subordinate phrase to a total educational program. We have to start talking about how do you really educate every child. I don't know any other way to say it.

We have been saying this as the goal of public education for 200 years but we really haven't done it. If you can get people involved enough to begin to truly ask that question, get the leadership to emerge from the staff and begin to function that way, then integration becomes one of those things you do to help the process. It is just a necessary part of totally educating every youngster accordingly. This is what a community understands.

^{15/} The Longfellow L.A.S.E.R. Program Overview states that the L.A.S.E.R. program is the core of a system for diagnosing individual learning needs and coordinating numerous instructional resources and techniques to match the learning methods of the individual child. A special curriculum (LASER) has been developed which defines the sequence in which certain behaviors are taught, behaviors which are identified by theory and research in the area of mathematics, reading and English. At Longfellow School, it is felt that the actual implementation of the use of behavioral objectives requires a process of this kind of individualization of instruction and continuous diagnosis of each pupil's learning behaviors paralleled with prescriptive teaching and ongoing evaluation. See L.A.S.E.R. Longfellow Math, Longfellow School, 3610 Eucalyptus, Riverside, California (ESEA Title I) Revised (1971). See Program Overview.

^{16/} Hearings Before the Select Committee on Equal Educational Opportunity of the United States Senate, Ninety-Second Congress, First Session, on Equal Educational Opportunity. Part 9A-San Francisco and Berkeley. Statement of Dr. E. Ray Berry, Superintendent of Schools, Riverside City Unified School District, pp. 4332-4341 at 4336.

It is easy to talk to any group, at least in my experience in the community, in these terms, but it is extremely difficult to tell them, you know, we ought to integrate for the good of these poor children. That's the heart of it as far as I am concerned.

The superintendent concluded that it was the process of desegregation that opened the eyes of the community and of the school system to the need for a change in its approach.

Under the new strategy, according to the superintendent, the key elements are the complete commitment on the part of the board, superintendent, and leadership staff. In placing responsibility at different levels, leadership is going to emerge. He added that there will be failures as well as successes.

The system has brought success to the low socio-economic status schools through an in-depth effort to individualize instruction. Each child has a "profile." The school has a complete picture of each child--his strengths and weaknesses, his attitude, his feelings, how he gets along, and how he relates to parents. According to the superintendent, the heart of the Riverside approach is "this individualized effort in terms of special materials that the teachers, parents and principals worked out themselves."

on Informal summaries of findings of the Riverside Integration Study concerning achievement levels reveal that integration of schools has not resulted in lower achievement of white children. Integration in itself has not brought about uniform improved achievement for minority

pupils. It has been more beneficial for higher achieving minority children than lower achievers. Although integration has gradually narrowed the gap between the achievement levels of Anglo and minority pupils, for those minority children integrated by the beginning of second grade or before, the deficit does not increase in subsequent years. Minority children integrated with pupils from appreciably higher socio-economic levels have done better academically than those who are integrated with pupils from lesser socio-economic levels. However, minority pupils integrated into schools with strong individualized programs of instruction achieve even more, regardless of the socio-economic level of the school.

According to the Riverside superintendent, it is unrealistic to expect instant success following desegregation. In fact, desegregation involves a process in which all concerned necessarily go through several stages--first hostility, then an emphasis on discipline and behavior, and only at last a comprehensive attack on the problems as they really exist. As he put it:

The process is long and difficult, but it cannot be avoided. The final solution, if applied without the process, would be meaningless.

Riverside, he believes, is in the final stage. The superintendent and other Riverside school officials are convinced that the result of their work--improved education for all children--has been worth it.

GLYNN COUNTY, GEORGIA (BRUNSWICK)

Glynn County is located on the Atlantic Coast, and its county seat, Brunswick, is situated about equidistant from Savannah, Georgia and Jacksonville, Florida. The county in 1970, had 50,528 residents, a third of whom were black.^{1/} Nearly half of the 19,585 residents of Brunswick, a seaport town, are black.^{2/}

Near Brunswick are three important year-round resort islands, St. Simons, Sea Island and Jekyll Island which enjoy great popularity since the mean temperature for the area is 68.4 degrees,^{3/} and beautiful beaches abound.^{4/} Sidney Lanier, a Georgia poet, immortalized the county with his work, The Marshes of Glynn.^{5/} Tourism, seafood processing and

^{1/} 1970 Census of Population, U.S. Department of Commerce, Bureau of Census.

^{2/} 1970 Census of Population, U.S. Department of Commerce, Table 127, p. 554 (Georgia).

^{3/} On November 7, 1972, Glynn County suffered the loss of a bridge when three spans were knocked out by a freighter, the African Queen. Ten persons lost their lives and many trucks and cars fell from Lanier Bridge into the waters below. The damaged bridge is to reopen in spring 1973. The damage to the bridge has caused interruption of the North-South flow of traffic in the county on U.S. 17 and has also cut off ready access to Jekyll Island. School buses have had to make lengthy detours, and the tragedy has adversely affected the important motel industry since tourists now on their way to Florida necessarily by-pass Brunswick and its many tourist accommodations.

^{4/} Facts about Brunswick and Glynn County, Georgia by Brunswick--Golden Isles--Chamber of Commerce, p. 4.

^{5/} Sidney Lanier, a Georgia poet, was born in 1842 and died in 1881. The Marshes of Glynn was one of his most famous works. A Glynn County school is named for him.

the development of forestry products all are important industries in the county. 6/

Several Brunswick residents summed up their pride in their county by stating: "There are three parts of Georgia--Atlanta, Brunswick, and the rest of Georgia, and we like to think we lead all of Georgia." In that connection, readily notable in the county are integrated police squad cars, integrated medical offices, an integrated hospital, black and white employees at motels, department stores and restaurants.

In 1970-71 the Glynn County school system implemented a desegregation plan for its school system which provides for an approximately 70 percent white and 30 percent black racial composition for each school in the system.

History of Litigation

In 1963, before freedom of choice plans came into wide use by southern school districts, the Glynn County Board of Education "realizing that desegregation was going to be a way of life," according to the superintendent, drafted a "pupil placement" desegregation plan based on limited student transfers. The plan provided for assignment of six black children to a white school.

6/ Facts about Brunswick and Glynn County, Georgia by Brunswick--Golden Isles--Chamber of Commerce. Industry--76 manufacturing and processing establishments, with principal products as follows: Naval stores and chemicals; pulp; industrial boilers; creosoted timbers, pulp saws and machinery; paint and varnish; lumber products; fresh, frozen and breaded shrimp; crab and other seafoods; ship repairs; garments, tools; dyes; wall board; concrete; roof decking.

To prevent implementation of the plan, action immediately was brought in Federal District Court by white parent plaintiffs individually and on behalf of their children. In September 1963, the District Court judge enjoined the school board from implementing its voluntary desegregation plan under which six black students were to be assigned to the eleventh and twelfth grades of Glynn Academy, a senior high school in the county.

Black students who had been accepted for transfer were permitted to intervene. They sought dissolution of the district judge's temporary restraining order preventing the transfers under the school board's voluntary plan of desegregation.

Appeal was taken and the United States Court of Appeals for the 5th Circuit enjoined the school board from interfering with the entry of the black students to Glynn Academy.^{7/} The order was to remain in effect until final determination of the appeal on the merits. The next year, the Court of Appeals vacated the injunction against the school board on the assumption that the school board would implement its desegregation plan,^{8/} as it had previously attempted to do.

7_/ Harris v. Gibson, 322 F. 2d. 780 (1963).

8/ ' Harris v. Gibson, 333 F. 2d. 55 (1964).

This the school board did. In the years following implementation of the transfer plan, the district court retained jurisdiction and ensuing orders closely paralleled HEW desegregation guidelines.^{9/} For example on February 24, 1968, the district court entered an order requiring that the system be desegregated pursuant to a freedom of choice plan, then permitted under the HEW guidelines.

Subsequently, attorneys for the NAACP Legal Defense and Educational Fund, Inc. filed a motion for further relief, seeking the development of a desegregation plan which would establish a "constitutionally acceptable" unitary system under the principles of Green v. County School Board of New Kent County.^{10/}

On January 9, 1970, after a number of intervening motions had been heard, the court ordered the school board to produce and present a plan for elimination of the dual school system. The court pointed

9/ The informal designation "guidelines" actually refers to the General Statement of Policies Under Title VI of the Civil Rights Act of 1964 Respecting Desegregation of Elementary and Secondary Schools 1965, U.S. Department of Health, Education, and Welfare, Office of Education. This set of guidelines was followed by the Revised Statement of Policies for School Desegregation Plans under Title VI of the Civil Rights Act of 1964. U.S. Department of Health, Education, and Welfare, Office of Education, March 1966.

10/ Green v. County School Board of New Kent County, 391 U.S. 430 (1968). On May 27, 1968, the Supreme Court of the United States, in Green held "freedom of choice" to be unacceptable where "there are reasonably available other ways, such for illustration as zoning, promising speedier and more effective conversion to a unitary, nonracial school system."

out that an HEW Task Force would be ordered to prepare a plan should the school board fail to develop one. Further, if the HEW Task Force failed to develop an acceptable plan, the judge indicated that he would draw up the plan.

The school board prepared and submitted a plan to the court on February 26, 1970, following an exhaustive study of the school system, including determinations of capacity and location of school sites and condition of facilities, of housing patterns, and pertinent factors concerning students (race, age, grade, residence and school attendance area).

The school board rejected large-scale busing and instead developed a plan which provided for retention of all school plants, ^{11/} grade restructuring within school plants, and the redefinition of geographic zone lines in all attendance areas in order that the racial composition of each school would be approximately that of the overall student body (70 percent white and 30 percent black). There was busing under the plan, but only slightly more children were bused following implementation of the plan.

^{11/} An important provision of the plan was the board's assurance that any future facilities or classroom construction would be devised to avoid encouragement of school resegregation.

The court ordered a plan into effect for the 1970-71 school year encompassing the plan essentially as developed by the school board. Three high schools were consolidated into two (the black high school became a sixth grade center). Two zones were established for the high schools (10-12) and school attendance was determined by residence in either zone.

The junior high schools, grades 7-9, were reorganized so that all eighth and ninth graders went to either of two junior high schools, and all seventh grade students would attend a 7th grade center.

Because of housing patterns, no single method could be devised that could result in a racially unitary student body in the Glynn County elementary schools. Combinations of geographic zoning, pairing, and simple assignment resulted in an elementary school configuration of four 1-6, two 1-5, one 1-3, one 1-2, one 4-5, one 3-6.^{12/} Also, one sixth grade center was established.^{13/}

Because of shifting residential patterns, the school board returned to court in January 1973 seeking changes in the original plan ordered into effect in January 1970. The new plan proposed by the school board called for grade restructuring of elementary schools and revision of some attendance zones so that the district could more closely adhere to its desegregation plan. No objections were raised by Legal Defense Fund

^{12/} These numbers refer to the grades covered in one school.

^{13/} The resulting composition of the schools was approximately 70-30 (white and black), although there was some slight variance at the beginning from this ratio in some of the schools which has increased over a two-year period, to the 1972-73 school year. For example, on September 1, 1972, according to school records, Ballard Elementary School was 90 percent white, Greer Elementary school was 63 percent white, Reynolds Street Elementary was 53 percent white, Risley Elementary, 60 percent white, Sidney Lanier Elementary, 58 percent white, St. Simons Elementary, 82 percent white, and Risley Center was 80 percent white.

attorneys, hence the Federal district court judge signed the order which provided that for the 1973-74 school year, elementary schools could serve grades 1-4. ^{14/} The single exception to this organization is St. Simons Elementary School (located on St. Simons Island) which retains its original 1-6 structure. In addition to the 1-4 development for elementary schools, three 5-6 centers were established. The remainder of the plan continues in effect, i.e., one seventh grade center, two junior high schools (8-9) and two senior high schools (10-12).

The board in planning changes deliberately reduced the number of black students who would be attending Goodyear Elementary School, which was showing signs of becoming a black school. Ballard Elementary School, which had been nearly all-white, was rezoned to include a much larger black population in order to stabilize that school.

The court continues to retain jurisdiction.

Under the desegregation plan, the assignments of teachers were to be made in such a manner that the ratio of black to white teachers in each school would be substantially the same as the overall ratio of black to white teachers in the entire school system. ^{15/} At the time the plan was devised for the 1970-71 school year, the teaching staff was approximately 75 percent white and 25 percent black.

^{14/} Protections in connection with hiring, demotion and dismissal were included in the plan.

^{15/} Many children attend Glynn County schools whose parents are attached to the Glynco Naval Air Station located in the school district. On April 16, 1973, the school district learned that the Naval Air Station would be closed by December 31, 1974. School officials indicate that if Naval Air Station families leave following the closing of the base, the racial and ethnic composition of the schools in the county could conceivably be changed since a majority of the Naval Air Station children is white. These service-connected children comprise about ten percent of the overall student body in Glynn County.

The black/white ratio of teachers and principals was 75.2 percent white and 24.8 percent black in June 1970. In August 1972, the ratio of white to black was 74.6 percent to 25.4 percent.

Although the school district retained four black principals and 12 white principals from 1970-71 to the 1972-73 school year, there is no longer a black senior high school principal. There are four white and three black assistant principals today compared with four white and one black assistant principals in 1970-71. Central office administrative staff remains all white ^{16 /} and the Division of Curriculum and Instruction (county wide) is 80 percent white and 20 percent black.

Preparation for Plan Implementation

As soon as the court ordered implementation of the desegregation plan, all news media were informed of plan contents and details of the plan and maps showing all school zones were made available to the public at each school in Glynn County. Meetings with staff and administrators were also held to clarify any problems about the plan and to answer any questions about it. The plan was also presented and explained to the PTA Council of Glynn County, so that it, in turn, could

16 / School officials explain the entirely white central administrative staff by indicating there has been no turnover in administrative staff since the unitary school system was established, although one person had been added to the business office. All information provided by the Office of the Superintendent from Racial Comparison of Professional Employees, Glynn County Schools, June 1970 through August 1972.

present the plan to individual PTA's or groups of concerned parents. Further, school board members as well as staff members of the school system spoke to civic groups and PTA's to explain the plan and garner support for it.

Transportation

Prior to implementation of the desegregation plan for the 1970-71 school year, eligibility for transportation was limited by State Department of Education regulations to children residing more than 1 1/2 miles from a school. A further condition of eligibility was that the children had to be living outside the city of Brunswick corporate limits.

Upon plan initiation, transportation eligibility was expanded to include transportation for students living within the Brunswick corporate limits who lived 1 1/2 miles or more away from school.

The plan also provided that transportation be given on a nondiscriminatory basis and that students be transported to the school nearest their home having the appropriate grade level.^{17/}

Transportation costs are available for three past years (they are not available for 1972-73), one year prior to complete desegregation and for two years following the conversion to a unitary system.

^{17/} The school board recognizing population mobility noted that bus routes need constant revision. Hence, the Board of Education decided to review bus routes at periodic intervals to assure efficient use. Moreover, routes would be maintained to prevent any discriminatory practices in future assignments for transportation.

TRANSPORTATION FIGURES FOR GLYNN COUNTY SCHOOL SYSTEM

School Year	Total Operating Budget	Transportation Budget and % Total Operating Budget	Actual Transportation Cost and % of Total Operating Budget
1969-70	\$7,101,937	\$205,647 2.9%	\$196,662 2.7%
1970-71*	8,012,482	211,928 2.6%	226,976 2.8%
1971-72	8,349,866	247,376*** 2.9%	281,066** 3.3%

According to the table, only .6 percent more costs were incurred for busing in the second year of the desegregation plan than were incurred in the last year prior to plan implementation.

According to the district's transportation officer, the average bus ride is five miles and takes 20 minutes. The longest bus ride under normal conditions is 20 miles and takes about one and a half hours. These figures were substantially the same prior to desegregation. The destruction of the Lanier Bridge has added twenty minutes to the ride for Jekyll Island ^{18/} students, who now must travel a greater distance to reach county schools. More than 50 percent of Glynn County's students were bused prior to desegregation. Following the plan, a slight increase in the numbers bused occurred because transportation now is offered to students living within the city limits 1 1/2 miles or more from school. About the same number of black and white students are transported.

18/ There are no schools on Jekyll Island, so students residing there must come to the mainland for school. No schools are on Sea Island, and only one exists on St. Simons Island (elementary 1-6).

*Year desegregation plan went into effect.

**Cost enlarged because of purchase of four new buses.

***According to school officials, the State of Georgia reimburses approximately 80 percent of school transportation costs at the present time, but in 1969-70, the State reimbursed only 70 percent of costs.

The transportation officer concluded that pre-and-post-plan vandalism on buses has remained the same, that there had been some increase in discipline problems largely because of parental attitudes, but that the discipline situation is "much better" than in the first year of the plan. Generally, he stated, problems arising now are those generally encountered by transportation officers country-wide-- whether the buses are segregated or desegregated.

The school superintendent discussing the busing issue, stated:

It's unfortunate that people have gotten 'hung up' over busing, it's just not serious here. We've bused in this place for years to avoid integration and now that busing is used to get integration, it's no different. It's just transportation. We don't use the word busing--we call it transportation.

The superintendent also reveals that three or four hundred additional students are bused although he is unsure that integration is entirely responsible for the increased numbers. He states that people "keep moving out" ^{19/} into the county outside the city limits.

The chairman of the school board said in connection with busing:

We've always been transporting children. We're transporting the same children, just to different schools--that's all it amounts to. We didn't add any buses, we didn't have to buy another bus until 1971-72 school year. Busing was nothing unusual in Glynn County because we've got the one system, the consolidated system, which we have had for years and years.

19/ Another senior school official revealed that many people, particularly whites, were leaving Brunswick for the county where tax rates and overall costs are lower. No matter where people live in the county, however, schools are integrated, though movement has caused changes in the composition of schools which necessitated modification of the school desegregation plan to maintain the overall composition which the district wished to maintain, i.e., 70 percent white, 30 percent black in all schools.

The Quality of Education

Reading tests have been administered to second and third grade pupils for the past six years (1966-67 to 1971-72). For the past two years, there has been definite improvement in the results. The Intelligence Quotient (I.Q.) for students over the years has not changed significantly although scores have jumped markedly. The second grade pupils tested in October 1971 made considerably more progress than in any of the previous five years according to test results. Third grade pupils tested in the 1971-72 school term also made considerably more progress than in any of the previous five year. ^{20 /}

The following table reveals the performance levels for 2nd grade pupils tested in October of each year.

Glynn County School System
Reading Achievement Test Summary
2nd Grade Pupils Tested in October Each Year
(2-1 Grade Placement Date of Test)

Year	Number of Pupils Tested	LOW Grade Level 1.4 and Below	NORMAL Grade Level 1.5 Through 2.9	HIGH Grade Level 3 and Above
1966-67	1,337	31.9%	63.5%	4.6%
1967-68	1,109	26.7%	68.0%	5.3%
1968-69	1,142	31.8%	63.0%	5.2%
1969-70	1,058	31.9%	62.6%	5.5%
1970-71	1,017	24.1%	69.4%	6.5%
1971-72	1,045	19.0%	71.6%	9.4%

^{20/} A large number of teachers were assigned to primary grades on an integrated basis for the first time. School officials suggest that improvement might have been the result of teachers working harder with the pupils assigned to them during the school term. In addition, school officials attribute improved achievement to the teacher aide program and the extended school day for first grade pupils in the 1970-71 school year.

In 1970-71, the first year of complete desegregation, the composite percentage of students with normal and high achievement was 76. In the 1971-72 school year 81 percent of students tested had a normal or high reading achievement score. At the third grade level, results are similar.

Glynn County School System
Reading Achievement Test Summary
3rd Grade Pupils Tested in October Each Year
(3.1 Grade Placement Date of Test)

Year	Number of Pupils Tested	LOW Grade Level 1.4 and Below	NORMAL Grade Level 1.5 Through 2.9	HIGH Grade Level 3 and Above
1966-67	1,078	20.8%	63.1%	16.1%
1967-68	1,109	22.2%	62.9%	14.9%
1968-69	1,094	23.6%	59.5%	16.9%
1969-70	1,076	20.4%	62.4%	17.2%
1970-71	1,022	18.0%	64.0%	18.0%
1971-72	950	11.4%	68.4%	20.2%

In 1970-71, 82 percent of students in the third grade had a normal or high reading achievement and in 1971-72, 88.6 percent of the students tested scored in the normal high achievement range. In other words, after desegregation achievement levels increased dramatically for both black and white students.

Numerous programs are in operation in the school system directed towards improvement of reading skills. Thus under a Title I grant

10 teachers and 10 aides work with 148 five year old educationally deprived students. There is an instructional assistance program for students in the third grade who are in need of special assistance with reading skills.^{21/} There are three special learning disabilities teachers who work with elementary children 1 1/2 hours a day. Fifty-one teacher aides funded under the Emergency School Assistance Program (ESAP) assist all first and second grade teachers.

Some school officials point to these programs as a partial explanation for increased achievement. The Director of Instruction, however, gave his view of why academic achievement had improved.

Several items contributed to the significant improvement--we had aides, we had the lengthened school day and the stimulation of the teachers, I believe helped too. I never discount that, because they wanted to show some progress, and I believe they all worked a little harder. I believe black teachers in front of whites, and white teachers in front of blacks, wanted to show each other they could perform effectively.

Finally, the instruction director commented that integration had an important effect. "You know we can all get in a rut." "In my opinion," he continued, "desegregation got us out of it and black and white achievement went up."

^{21/} There are three gifted program teachers who work with small groups of students in enrichment activities.

Incidents and Discipline

Incidents which can be characterized as racial have been few since the plan was inaugurated. The superintendent, in discussing the issue, pointed out that there have been some incidents "but not enough to interrupt school." The first year of the plan there was a "free-for-all" fight at Jane Macon Junior High School between blacks and whites, but no one was injured and no time was lost from school. "What we found out was that rumor circulation was a problem." "Someone," he alleged, "would call home saying there's a riot down there and parents would come to school, pick up their children and take them home. That has stopped; we've had none of that this year."

Although county schools have not continued to experience racially motivated incidents, suspensions and expulsions have been utilized extensively since desegregation. In the first three years of the plan, the chart of suspensions and expulsions reveals the following:

<u>Year</u>	<u>Short-term Suspensions*</u>			<u>Long-term Suspensions and Expulsions**</u>	
	B	W	Race Unknown	B	W
1970-71***	39	77	226	1	4
1971-72	411	316		5	2
1972-73	101	84		3	0

*Temporary or short-term suspension is for ten days or less given by school principal.

**Long-term suspension is for more than ten days and expulsion is for the remainder of the year, directed by the school board.

***Racial records were maintained for only part of the 1970-71 school year.

School authorities attribute the large number of short-term suspensions in part to recidivism. School authorities noted that black students are often suspended for abusive language and physical attacks while whites are suspended for lesser violations such as smoking and truancy. They also state that suspension is the "last thing we do."

A black administrator reflected an opinion expressed by several school personnel. "Everytime there was a problem it was always a black child, one who when pushed and pushed finally said "hell no!" and was then suspended. We have been able "to cut down on unfairness by white teachers and administrators at this school and most white teachers are doing a very good job although there still remain some troublemakers." This experienced school official also commented that problems have been alleviated by turnover, so that young white teachers have replaced most of the "problems." Thus "we have been able to move as smoothly as anyone and with fewer problems."

The 1972 Personnel Handbook for Glynn County Public Schools provides elaborate due process safeguards both for short-term and long-term suspension and for expulsion.

Community Reaction

General community opinion concerning desegregation is that integration is going very well. The superintendent stated that even at the beginning of the plan "we didn't have any organized opposition

to it." He also commented that "one little private school set up here in town because of the integration program" but it has "gone down hill some." "They had," he continued, "265 out there last year and they have 249 this year in grades 1-8." Another facet of community reaction relates to the PTAs. According to the superintendent:

We had a considerable falling off of interest in the PTA. However, we noticed that last year /1971-72/ things picked up a good bit, and this year it seems to be getting back to kind of what it used to be.

He concludes why there is returning interest.

Well, people have gotten used to each other. They cooperate a little better when they know one another better. Communication has something to do with it. We feel like the situation is growing healthier all along.

The superintendent developed another theme regarding community reaction.

Black and white kids are more at ease with each other. Our young people are far ahead of us in some respects. They mix and mingle and do things that we didn't used to do, but they tell it like it is. They surprise me sometimes with the ease with which they get along with one another.

According to the assistant superintendent there has been a substantial change in attitudes of teachers over the three years of the plan.

Teachers didn't communicate the first year. I don't think it was that they couldn't; I think really that they were afraid of each other. In some instances, they tried too hard to be nice to each other and so things never did get said that should have been said. I think that's definitely better now.

And, he comments about teacher/student relations:

Shortly after the plan went into effect, a teacher would go out into the hall and she'd sense that it was a little tense, and she would just go back in her room, particularly if the students were of a race other than her own. Now you see a black or white teacher wade into a group of kids of either race. Teachers now are willing to do all sorts of things that they were formerly reluctant to do.

One black community resident commented that although most people have adjusted marvelously, others will "just have to die" because their negative attitudes are so ingrained.

One significant example of the kind of cooperation taking place was observed by Commission staff. Nine white mothers who were disturbed that their children were under-achieving had visited the black principal at their children's school, sharing with him their concern for the children and their desire to help them. The principal had assigned a black teacher to them for several weeks for instruction in how to tutor their children in basic reading skills. When the mothers had completed the work, the principal made a presentation of certificates of completion which the parents received enthusiastically. The parents found the experience rewarding and continue to return for "refresher" instruction.

There have been several PTA-sponsored basketball games at various schools, either between faculty and parents or students and faculty.

They have been well attended--in fact standing room only--by black and white parents, either as participants or as spectators. The events have been big money makers for the schools involved.

One white community leader said that "the lack of incidents, of confrontation, strife or revolutionary activity, all point to a calm and reasonably satisfied community."

Several blacks point out that their community is a cohesive force, united in a time of crisis. For example, action planned by the school system would have resulted in a reduction in the number of black principals in the school district. Blacks exerted continuing pressure (appearance at the school board and requests for assistance from State NAACP leaders outside the district). As a result the number of black principals remained constant (four). Black leaders commented in that connection that full integration was necessary "if there was to be peace in the community."

An NAACP leader said "comparatively speaking we have a utopia, and everything has gone well and harmoniously."

In early 1970 when the plan was implemented, there was a series of bomb scares at Glynn Academy, causing school officials to evacuate the buildings. Police traced some of the calls to the pay booth at Glynn Academy and they were sure the culprit was a student. Thereafter, school officials stopped evacuating the buildings. In fact, they ignored the calls and they stopped.

One white community leader explained that there are "many whites sympathetic to the cause of civil rights who have given support and who have gone out of their way to accommodate blacks. Generally, the community spirit is very good, and I hope it will continue like that."

Several school authorities discussed community reaction in the context of possible anti-busing legislation.

The superintendent commented:

I don't think they [the community residents] would go back; I think they would keep it integrated....Now you know there are some who would go back, but I think the majority of the people feel like that this is something that is right, that it is something that ought to be done, and they are willing to work to try to make it go.

He explained that if you could not transport any children beyond the closest school, it would mean almost complete resegregation of the schools. "We would have at least four schools that would be up to 90 percent black, and we would have two or three white schools. I would hate to see it go back. Now, I haven't always felt that way, but working with it I can see such great improvement...." The board chairman expressed a similar view:

Busing to the next nearest school would in my opinion, probably recreate the neighborhood school. I'd hate to go back, we've accomplished so much and that would disrupt everything.

He reiterated his stand of "hating to go back" in connection with constitutional amendments against busing. After all, "we've seen what can be done under this program."

Another board member discussing the possibility of anti-busing legislation or a constitutional amendment against "forced busing" said:

As far as the board is concerned, I am sure that it would do what is best for the children of Glynn County, not for the parents. This question has been raised previously, and to a man, each said that they would stand by their convictions that we must do the best thing for the children of Glynn County and the school system. I feel that we might have some adverse public reaction, but this we've had in the past, but we still have continued to advocate and do the best thing for our county's children, maintaining the kind of school system we now have.

CLARK COUNTY, NEVADA (LAS VEGAS)Background

Las Vegas, Nevada is the seat of Clark County, an area that spreads 8,000 miles across the desert. According to the census of 1970, the county has a population of 273,288, of which 10.5 percent are members of some racial or ethnic minority group. The county's school district population is 72,207 and 13,548 of those students are classified as non-white. 1/

The Clark County School District and the city of Las Vegas developed a tradition of segregation similar to that of urban schools in most other cities of the North, Midwest and West. As in these cities, school segregation in Las Vegas resulted, not from laws requiring it, but from racially separate housing patterns upon which neighborhood school attendance was imposed.

In Las Vegas, the neighborhood school policy established a cluster of racially separate elementary schools on the west side of the city where the majority of black residents live. Junior and senior high

1/ All statistics unless otherwise noted are from the Clark County School District records.

schools in the city were desegregated because black students and other minorities were traditionally transported to those schools by bus. After World War II, there was an increase in the black population living in Las Vegas. While additional elementary schools were constructed on the west side to match the growing black student population, no secondary schools were constructed. This was at the behest of black community leaders, who took the position that the construction of new units would extend segregation to the secondary schools.

Litigation

In May 1968, the NAACP Legal Defense and Educational Fund, Inc., filed a suit against the Clark County School District.^{2/} The suit alleged that the 5th and 14th Amendments to the Constitution were violated by the attendance of black pupils in the elementary schools on the west side. The plaintiffs argued that white students were bused to white schools although the west side schools were closer to their homes; and that black elementary students found it difficult to transfer from one school to another. Finally, it was charged that the school board had manipulated elementary school attendance zones to perpetuate segregation.

A decision in the case was handed down by the United States District Court for Nevada in October 1968. It ruled that the Las Vegas elementary schools were unlawfully segregated and ordered the school board to

^{2/} Kelly v. Guinn, Nos. 71-2332, 71-2340 and 71-2422. See also Kelly v. Guinn 456 F 2d 100 (Court of Appeals, 9th Cir.) Pending on Appeal, Supreme Court of the United States, 72-341 (1972).

submit an integration plan. The plan submitted was essentially a "freedom of choice" option permitting parents to transfer their children to the west side schools.

Under the plan, two of the elementary schools on the west side were designated as "magnet" or "prestige" schools to attract white students. Both schools, C.T.V. Gilbert and Jo Mackey, were to be operated with a low teacher-pupil ratio and receive additional supportive services and equipment from the district. The Court approved the plan and ordered that a progress report be filed with the Court on March 1, 1970.

After reviewing the report, the Court found that the plan had not resulted in integration. The Court said:

The neighborhood school concept must be abandoned to accomplish integration in a racially segregated residential area. Because of the demonstrated reluctance of white parents to volunteer their children for education in the Westside schools, the burden of accepting busing to accomplish elementary school integration has been placed on the black parents. While the latter have evinced an increasing acceptance of such busing for their children, it cannot be inferred from the evidence before the Court that the present plan will ever eliminate an almost one hundred percent population of black students in the Westside elementary schools so long as such schools are maintained and operated. 3/

The district was ordered by the Court to come up with a plan that would desegregate the schools in the west side area. The enrollment of

3/ Judgment and Decree of U. S. District Judge Bruce R. Thompson, U. S. District Court, District of Nevada, dated December 2, 1970, p. 2.

black students, the Court said, "shall not exceed fifty percent of the total student enrollment...."^{4/}

After consulting with many community organizations and listening to suggestions from county residents as to how to desegregate the west side schools, school officials finally adopted the "Sixth Grade Center Plan,"^{5/} which was submitted to the school board. Although the school board already had decided to appeal the decision, it approved the plan which was accepted by the Court. In February 1972, the appeals court turned down the board's appeal and affirmed the lower court's desegregation decision. But legislation passed by Congress in June slowed down the district's plans to implement the Court's ruling in September.

Congress adopted, on June 8, 1972, the Broomfield Amendment as part of the Higher Education Act. The amendment suspended until January 1, 1974, all court-ordered school desegregation plans that were subject to appeal through the courts or until the appeal process was terminated. It banned the use of Federal monies for school busing and prohibited busing that resulted in children attending an "inferior" school or impairment of their health. Some segments of the Clark County community believed the Broomfield Amendment negated the Court's desegregation order.

^{4/} Ibid. pp. 5-6.

^{5/} Under the plan, only the sixth grade would be taught in each of the predominantly black elementary schools on the west side. Black children in grades 1-5 were to be transported to elementary schools outside of the west side area, while white sixth graders were to be transported to the west side to attend one of the sixth grade schools. For a discussion of the operation of the plan, see p. 6, infra.

The legal entanglements of the school district deepened in August 1972 when the United States District Court issued a "show cause" order against the school board, after the Las Vegas League of Women Voters filed a suit alleging that the board was in contempt of the desegregation order. The board argued that the Broomfield Amendment provided a delay in executing the desegregation order of the Court and until all appeals were exhausted, the Court's ruling should not go into effect. The United States District Court ruled, however, that the Broomfield Amendment was not applicable to the school district because it could not be applied retroactively to the Clark County school case.

Then in September 1972, a citizens' group composed of white parents opposed to the sixth grade center plan and named "Operation Bus Out," filed suit in the Nevada District Court, asking the court to issue an injunction against the school district to prevent it from implementing the plan. The central position of the Bus Out group, was that the busing requirements needed to implement the sixth grade center plan would cause financial loss to many families because the value of their homes would be diminished if their children could not attend the schools in their neighborhood.

In addition, the anti-busing group's complaint stated the desegregation plan was a violation of the Nevada Constitution which

provided for a uniform system of common schools. The State court agreed and issued the injunction. The injunction closed all the elementary schools and affected 30,000 elementary school students in the county that were under the U.S. District Court's two-year-old ruling.

School officials were now in the position of defending the Federal Court's right to retain jurisdiction of the school case. The school board turned to the Nevada State Supreme Court and petitioned the Court to lift the injunction imposed by the lower court.

School officials, while awaiting an opinion of the Nevada State Supreme Court, proceeded to put into effect the Sixth Grade Center Plan despite the injunction. In October 1972, the Nevada State Supreme Court ruled for the school district and said in effect that a State court cannot interfere with a Federal court order.

The Plan

The Sixth Grade Center Plan approved by the school board created sixth grade centers out of the six black elementary schools in Westside Las Vegas. This meant that all white students in the sixth grade would be bused to one of the centers, while all black sixth graders would attend their neighborhood school (now a Sixth Grade Center), if they lived within the environs of the Westside. Black sixth graders who lived outside the perimeter of the Westside were to be bused to the cluster of sixth grade centers just as their white counterparts were transported by bus. All black students in grades 1-5 would be bused

out of the neighborhood, while white students in grades 1-5 would attend their neighborhood schools.

Three modifications of the plan were allowed by the Court. First, an additional school, Quannah McCall, was added to the six elementary schools designated as sixth grade centers. It was selected because it lay on the fringe of the Westside, and its student population was 35 percent black. Future enrollment statistics for Quannah McCall projected an increase of black students attending the school that would exceed the 50 percent enrollment in any one school or grade which was stipulated by the Court. Second, kindergarten children would attend school in their own neighborhoods. School officials felt that since kindergarten children attended school for only 2 1/2 hours a day it was unreasonable to transport the children out of their neighborhood. As a third modification to the plan, the board, at the suggestion of parents, exempted schools that were already integrated through integrated housing.

While the December 2, 1970, decision of the Court applied to the elementary schools within Westside Las Vegas, the effect of the decision also was to integrate all elementary schools that were previously all-white in Las Vegas, North Las Vegas, and the unincorporated areas bordering Westside Las Vegas. Black children in grades 1-5 are bused out of the Westside to previously all-white schools. White students in grades 1-5 are not bused. They attend the schools in their neighborhood.

Thus under the Sixth Grade Center Plan the burden of busing falls almost entirely upon the black student population. Under the plan, white children are bused during only one of their six elementary school years, while black children are transported five of six years.

Preparation for Implementation

Once litigation concerning the legality of the Sixth Grade Center Plan was settled, the school district returned to the task of preparing schools, parents, teachers, staff, and students for the opening of the 1972-73 school year. Textbooks were transferred, furniture was replaced and purchased, the Library-Media Centers were reorganized for the sixth graders, and where necessary schools were scrubbed, painted, and cleaned. In May 1972, parents received letters explaining the law, registration procedures, their child's new school assignment, and the schools district's zoning rules.

Two orientation sessions were held for parents, teachers and students. The affected white students joined their parents in visiting the sixth grade centers to talk with their new principals and teachers, and to become familiar with the educational environment of the centers. Black parents and students attending schools outside Westside Las Vegas were invited to meet with school personnel and become acquainted with the 1-5 schools.

Teachers attended a three-day workshop for which they were paid sixty dollars (for each day of attendance) to discuss the legal reasons for the desegregation program, the sociological and psychological impact of the program upon the school district, curriculum programs, counseling, and how to promote human relations in class and in the school. Other scheduled sessions for teachers included: discussions of health and welfare, drug abuse, and the school district's special programs and activities.

The transfer and assignment of teachers were dependent upon the teachers' previous assignment. All sixth grade teachers were automatically assigned to a Sixth Grade Center. Vacancies within the center were filled by teachers who desired to transfer to a Sixth Grade Center. Sixth grade teachers were not allowed to transfer to a lower grade level if they had failed to request a transfer as early as May 1972. Teachers who taught in grades 1-5 and were assigned to a school that became a Sixth Grade Center were reassigned. Other primary and intermediate teachers who were not chosen to continue in their present school were reassigned to schools of their own choice. To assure that all elementary school staff were effectively integrated, no more than 20 percent of the Sixth Grade Center personnel were to be black. 6/

6/ Mimeographed publication, Sixth Grade Plan, 1972-73, Clark County School District, Las Vegas, Nevada, p. 42.

Transportation

Although the Clark County School District covers an 8,000 square mile area, the transportation of children by bus is accomplished by the efficient operation of the Department of Transportation. The department has developed a training program that exceeds the training requirements of the State of Nevada. The State requires that a school bus driver receive ten hours of driver training to be eligible to drive the yellow bus. But the Director of Transportation for the Clark County School District requires that each driver receive 40 hours of driver training a year. The department's mechanics are required to attend State schools, and when necessary, schools outside the State to maintain their mechanical skills. The results have been a low rate of the breakdown of buses, few accidents, and an excellent safety record.

During the 1971-72 school year, the buses rolled up 2 million miles without a major accident. They carried more than 14,000 students a day and were involved in a total of only 44 minor accidents. According to the Director of Transportation, those accidents were usually, "the fault of the other motorist and not the bus driver. They were just minor collisions with a dented fender or scratched paint"^{7/} and no children were seriously injured. The buses have many safety features, including padding on the backs of seats. During the 1972-73

^{7/} Staff interview with Richard C. White, Director of Transportation, Clark County School District, Las Vegas, Nevada.

school year it is estimated that the fleet of 196 school buses will carry 20,000 children to and from school daily. In measured time and distance, the longest ride before desegregation was an hour and a half and covered a distance of 50 miles. Since desegregation has taken place this remains unchanged. The average distance and time of ride for most students was and remains 11 miles and 30 minutes.

For nine years, the department has used a triple bus schedule for transporting children in the city or nearby suburbs. It has proved to be the most efficient means of moving the children from home to school, and from school to home in Clark County. To gain the best use of its buses and drivers, school officials delegated to the transportation officer authority to determine the time schools open in the county. They open at forty-five minute intervals; thus, the high schools open at 7:30 a.m., junior high schools at 8:15 a.m., and elementary schools at 9:00 a.m. This allows a driver enough time to pick up all high school students on his route and get them to school by 7:30 a.m. After he leaves the high school, he doubles back and picks up junior high school children and reaches school by 8:15 a.m. He then picks up the elementary school children who arrive at school by 9:00 a.m. Since the average riding time is 30 minutes from the first pick-up point to the school, the drivers have 15 minutes of

lead time to pick up their second and third runs. Therefore, one bus driver expends an hour and a half between 7:30 a.m. and 9:00 a.m. transporting students to school. The driver has enough time between his runs to go from a high school to a junior high school, and finally to an elementary school on three different but geographically related routes.

The primary effect of the desegregation plan upon the school district's budget related to the increase in the number of students the buses were to carry. To meet that need, the school district purchased 30 new vehicles--each costing \$18,000 apiece. The total budgetary cost of desegregating the elementary schools was \$1,544,196, of which the transportation department's share was \$855,494. Some \$540,000 of the money was spent for the purchase of new buses. The remaining money was used to pay for drivers, mechanics, gas, oil, tires, and parts, servicemen, insurance, and employee benefits. The transportation cost to the school district to desegregate the schools represents only 2.3 percent of the district's 1972-73 budget of approximately \$64 million.

Finally, the creation of the Sixth Grade Center Plan did not curtail the efficiency of the transportation department. Since the Court's order was aimed at desegregating the elementary schools, the order left untouched the tradition of busing minority and white students

to junior and senior high school. The provision to use a standby vehicle if a child becomes ill was not changed; buses used for extracurricular activities were not changed (since funds for those activities were limited before the desegregation plan) and the triple scheduling of buses was not changed--merely expanded.

Educational Improvements

Programs devised to improve the quality of education in the Clark County School District were the Reading Improvement Program (RIP), added to the curriculum in 1970, the Program of Social Enrichment for kindergarten children (POSE), initiated in 1968, and an Ethnic Studies Program that began in the senior high schools in 1970, and was started at the K-8 level in 1971. The reading program was designed to develop the study skills of students, their reading comprehension, their oral-aural skills, and to increase their reading-rate. The social enrichment program for kindergarten children was created by pairing the Westside schools with other outlying schools that held kindergarten classes. The goal of the program is to bring children together from different minority groups to share their learning experiences in a cross-cultural classroom setting. Children from the paired schools met periodically and often take joint field trips to share the "commonality and universality of experience" of just being children. The ethnic studies program was added to the sixth grade center plan to establish a "foundation of mutual respect and understanding among students of different races and cultures."

Reaction of Parents and Students

Reaction by parents to desegregation has tended to break down along racial lines. Blacks cautiously have accepted the plan, while whites generally have protested it. White parents, opposed to busing, organized two anti-busing blocs five months before the plan was scheduled to become effective. Organized as "Operation Bus Out" (which has been active in litigation) and "Parents for Neighborhood Schools," both groups have been in the forefront of the protest. The more vocal of the two groups was "Operation Bus Out," and according to newspapers, it assumed leadership of the protest. A representative of "Operation Bus Out" reportedly told a rally the plan was "unfair."^{8/} "The majority does not rule this county anymore," he said, "a judicial minority does. The average American public is getting screwed on this deal."^{9/}

Leaders of both protest groups said they were not against integration but were only opposed to busing as a means to achieve desegregation.

According to the superintendent of schools, Kenny Guinn, 85 percent of the Clark County community was against busing, but the community stood by the belief that "the Court order was the law and it should be obeyed."^{10/} As one black leader observed:

The sixth grade plan is now the law of the land and all citizens should obey it and make it function during the following year. If it is not pleasing to us during that-period we should work together to develop a new plan. People have screamed for law and order for five years. Now we have a law so let's have order too. ^{11/}

^{8/} News article dated August 30, 1972, Register Journal.

^{9/} Ibid.

^{10/} Interview with Kenny Guinn, Superintendent of Schools.

^{11/} News article, dated August 30, 1972, by Mary Hausch, Register Journal Staff Writer.

From April to September 1972, the anti-busing group held rallies, advocated a boycott of the schools, and engaged in litigation to stay the Court order. As the opening of the elementary schools neared, some white parents sent their children to nearby cities to attend school, others enrolled their offspring in private schools, and still others sought refuge in the "underground schools;" operated in private homes with certificated teachers. But the Attorney General of the State of Nevada ruled the "underground schools" were illegal. School officials estimated that the number of "underground schools" and students was very small.

The school children were generally divided in their opinions on desegregation and busing. Some children seemed to express their own views, while other children appeared to express the views of their parents. According to school personnel, "students seem generally relaxed and do not have any consistent or strong complaints" against busing or desegregation. At the Madison Sixth Grade Center, a teacher remarked: "The children love it [the school], and the kids have said what their parents are saying is bunk." Negative comments heard from the children such as "My parents don't want me over here" and "those colored kids" were the expressed views held by the children's parents, and not the children, school officials stated. One member of the school board commented: "Most children do not mind being bused. My grandson lives a half block from a school but is nonetheless bused to a Sixth Grade Center. He loves it."

Beyond the children's acceptance of their new school situation, some school administrators felt "desegregation had some visible influence in improving the self-image and esteem of black children." But one teacher admitted some teachers at his school did not want to teach black students, and added: "If a black kid isn't disadvantaged when he walks into [their] classroom, he sure as hell will be when he walks out." "There is some black separatism," school officials said, "but it is not bad, and does not mean racial tension." Racial fighting among children has been minimal since desegregation. When fights have occurred they have generally been non-racial. As one teacher observed concerning the behavior of his students, "In my own class there are black and white kids who are friends. Race doesn't concern them at the third grade level. When these kids fight, it has nothing to do with race."

Conclusion

Despite the legal entanglements of the school district, the protest of anti-busing groups, and general community confusion over desegregation, the Sixth Grade Center Plan is proving its worth--from the standpoint of education as well as desegregation. "The Sixth Grade Center educational programs" one official reported, "are much better than the programs the neighborhood schools had last year." The administrator attributed the success of the Center to their "CORE" curriculum consisting of language arts, social science and mathematics, or social science and science; activity programs that include: rocketry, ceramics,

square dancing, foreign languages (Spanish and German), a drill team, photography, leathercrafts, modern dance, an exchange program with junior high schools; and the child centered concept of the curriculum rather than a content-oriented educational program.

But the politics of desegregation in Clark County continue. In March 1973, legislation to end busing in Clark County was introduced in the Nevada State Assembly. This effort was defeated when the Committee on Education refused to report out the bill. School officials testifying against the measure said busing was a "moot point" for legislative action because desegregation through busing had been accomplished successfully in Clark County.

OXNARD, CALIFORNIA

In 1970 Oxnard's population was 71,255. Of these, 63,698 were white, including about 24,300 persons of Spanish language or Spanish surname. ^{1/} Approximately 4,270 were black and 3,257 were Oriental. Oxnard is located in Ventura County on the California coast, some 65 miles northwest of Los Angeles. It is a fast growing area of fruit and vegetable farming, light industry, and resort activities. The county is also an oil producing area.

On May 12, 1971, the U.S. District Court for the Central District of California found that "the majority of the Oxnard elementary schools are segregated in fact." ^{2/} Such racial imbalance, the court said, "denies plaintiffs their rights to equal protection of the laws guaranteed by the 14th Amendment." A desegregation plan which did not involve one-way busing of Mexican-American and black students or any freedom of choice system was ordered submitted to the court within 20 days.

At the time of the District Court order, the board of trustees operated 12 elementary schools and two junior high schools. ^{3/} In the 1970-71 school year, the district had enrolled 9,458 students--3,884 Anglo, 4,364 Mexican-American, 1,031 black, and 179 Oriental. In percentage, 41 percent of the students were Anglo, 46 percent were Mexican-American, 11 percent were black, and 1 percent Oriental.

1/ Population figures and terminology obtained from U.S. Census Bureau Report for 1970. In this report, the word "Anglo" will replace "white" and "Mexican American" will be used in place of "persons of Spanish language or Spanish surname."

2/ Soria v. Oxnard School District Board of Trustees, 322 F. Supp. 155 (C.D. Cal. 1971).

3/ The high school serving Oxnard is located in a separate school district.

Before the court order, Oxnard operated a neighborhood school system which resulted in segregated elementary schools. In the 1970-71 school year, schools in the central Colonia "barrio" area of the city had Mexican American and black enrollments ranging from 95 percent to 99 percent. The total school enrollment in Colonia schools was 278 Anglo and 2,031 Mexican American and black.

McKinna Elementary School in south Oxnard was 29 percent black. Anglo enrollments at Curren, Sierra Linda, and Marina West elementary schools in north and west Oxnard were 84.1 percent, 83.6 percent, and 75.8 percent respectively, despite the fact that Oxnard's school district had a 56 percent "minority" student enrollment.

Even before the District Court's decision on Oxnard, school desegregation had become a prominent issue in California. Attention had been gradually drawn to school segregation in Oxnard. In early February 1970, the district had adopted a 13-point "Master Plan" for school desegregation. One phase of the plan called for both the busing of 800 Colonia children and the relocation of 14 portable classrooms from Colonia to Anglo-dominated district schools. As in many other districts where one-way busing of minority children has been proposed, many minority parents resented the idea of such busing for their children while Anglo children were to be allowed to stay where they were.

On February 26, 1970, a group of Mexican American and black parents filed a class action suit against the board of trustees, alleging "systematic" racial discrimination in the school system. They charged that the Master Plan was inadequate and that the board was not moving fast enough in desegregating. The board replied that it was "under no legal duty whatsoever to eliminate or reduce an alleged racial imbalance in school enrollment that is the result of neighborhood population patterns." It said that its Master plan should be given adequate time to work.

In March 1970 a \$4 million bond issue was defeated by Oxnard voters, with the controversy over school desegregation and fears of busing credited with an important role in the defeat. Two items in the issue had concerned integration--\$1,808,000 for a new 1,200 pupil school for kindergarten through 6th grade and \$43,000 for rehabilitation of portable classrooms and their relocation from Colonia.

The district then decided to go ahead and relocate five of the portable classrooms and to transport 300 Colonia children. Several Anglo schools would thereby be desegregated but Juanita, Ramona and Rose Avenue would still have a severe imbalance. Another part of the Master Plan, total integration of summer school, was to be implemented in the summer of 1970.

In June 1970, the board of trustees voted to reject all bids for removal of portable classrooms from Colonia, citing as the main reason opposition of Colonia residents to busing and the possible passage of laws against involuntary busing by the state legislature.

A year later, on May 18, 1971, the district court ruled in favor of the plaintiffs. The court found that there was racial imbalance in nine of the 12 elementary schools in the district. It stated that there were "sufficient 'de jure' overtones...to entitle plaintiffs to relief." According to the court, "these de jure overtones arise from such practices as Open Enrollment, Individual Intra-district Transfer (or 'busing'), location of new schools, placement of portable classrooms, failure to adopt proposed integration plans and rescision of resolutions to relocate portables." It ordered the board to submit "a plan that promises realistically to work now, so that racial imbalance existing in the Oxnard elementary schools is eliminated root and branch."

On June 18, 1971, the court further ruled out any racially identifiable class in any school unless the class was deemed necessary to promote a "compelling" public interest. No class should deviate more than 25 percent from the student percentage in the total elementary system. Furthermore, kindergarten was to be included in the district's plan for providing racial and ethnic balance in the schools.

The Court's order was similar to the State Department of Education guidelines for integration. ^{4/} This meant that each school would have 31-61 percent Mexican American children, 25-57 percent Anglo children, no more than 26 percent black, and no more than 16 percent Oriental. The only 7th and 8th grade schools, Fremont and Haydock, with about 2,000 students had met State guidelines for integration.

In September 1971 the board of trustees voted to appeal the directive and applied for a stay of plan implementation to the U.S. Court of Appeals for the Ninth Circuit. That stay was denied by the Court of Appeals, as was a similar request to the district court.

In the summer of 1971, in what became a test case of the effect of the Broomfield Amendment, ^{5/} the board asked the court to apply that Amendment to the Oxnard situation. The U.S. Department of Justice joined the board in support of its request.

The Ninth Circuit Court of Appeals ruled in August 1972 that the Broomfield Amendment could not apply retroactively to school districts such as Oxnard which had already completed a year of court-ordered busing. The board then applied for a stay to U.S. Supreme Court Justices Douglas and Burger. Both applications were turned down.

^{4/} Under California State law, no school within the District should vary by more than 15 percent from the overall racial composition of the District. (Title V, California Administrative Code, Section 14021.)

^{5/} Passed by Congress in July 1972, the Amendment provided that the effectiveness of any court order requiring pupil transportation for racial balance "shall be postponed until all appeals in connection with such order have been exhausted or in the event no appeals are taken until the time for such appeals has expired." The Amendment would expire at midnight, January 1, 1974.

Finally, on October 24, 1972, the Supreme Court refused without comment to stay the busing plan. Meanwhile, the appeal of the desegregation order itself remains before the Ninth Circuit.

The Plan

Despite the court appeals, a desegregation plan was ordered implemented in September 1971. After considering several plans, the board, by a 4-1 vote, approved a plan involving the pairing of schools within the district and a rearrangement of grade levels to be served at each school. Six schools became upper grade schools and six became lower grade schools.^{6/} The three Colonia schools--Rose Avenue, Juanita, and Ramona--were paired with Marina West, Sierra Linda, and Curren, all in the Anglo residential areas. Brittell would have the highest Mexican American enrollment (62 percent) and Harrington the largest Anglo enrollment (54 percent).

The plan also required the transportation of an additional 1,700 elementary students, raising the total number of students bused from 1,300 to nearly 3,000.

Preparation for Implementation

Prior to implementation of a plan, the board and the school administration held a number of public meetings to discuss various

^{6/} The schools paired and the grades they handled were:
 Ramona (K-1-2-3) and Sierra Linda (K-4-5-6)
 Juanita (K-1-2-3) and Curren (K-4-5-6)
 Marina West (K-1-2-3) and Rose Avenue (K-4-5-6)
 Harrington (K-2-3-4) and Elm (4-5-6)
 Kamala (K-1-2-3) and McKinna (K-4-5-6)
 Brittell (K-1-2) and Driffill (3-4-5-6)

options. Meetings with PTA presidents, teachers, and administrative staff were held to explain the court order and to prepare a plan. Once the pairing plan was approved, a special illustrated report was published in September 1971 with details concerning the opening of school. Bulletins and press releases were distributed so that parents, students, and staff members were kept informed of school schedules and arrival times. A speakers' bureau was set up. The Oxnard Awareness Committee, a coalition of community citizens, established a telephone answering service for residents to obtain information regarding school integration. The League of Women Voters issued a review of the background of court cases dealing with integration. Open house was held at all elementary schools the Sunday before schools opened. Some 200 parent volunteers helped staff bus stops, buses and schools for the school opening. Furniture, supplies and equipment were moved to paired schools.

A number of community organizations supported the plan. The Certified Employees' Council, representing the Oxnard Educators' Association, endorsed the plan and voted for teachers to follow their grade levels to other schools. The NAACP and the Mexican American Political Association also supported the plan.

Transportation

The plan cost the district an estimated \$85,000, representing mostly the cost of increased transportation involved in the pairing of schools.

Students who lived more than 1 3/4 miles from the nearest school had been eligible for transportation in the past. The school board reduced the limit to 1 1/2 miles to provide transportation for pupils affected by the plan, resulting in an estimated cost to the district of about \$20,000.

Total busing costs for the 1971-72 school year, the first year of desegregation, were \$257,140 or 1.8 percent of the total school budget of \$8,043,000. ^{7/} But the increase due to desegregation was only \$85,000 or 0.1 percent. About \$111,600 of the \$257,140 was reimbursed by the State, leaving \$145,540 in busing costs borne by the district.

In 1970-71, the busing budget had been \$113,440 or 1.04 percent of the total budget of \$6,889,725. Approximately \$41,827 of the \$113,440 had been reimbursed, leaving final busing costs of \$71,613.

Busing itself was not new to Oxnard. In the days when the district had a high school, students had been bused in from the distant Thousand Oaks area. Some one-way busing of Colonia students to north Oxnard schools had begun before the plan because of classroom shortages. Some 800 additional minority students were now bused to Anglo schools under the new plan.

As noted, nearly 1,300 elementary and junior high students (16 percent of enrollment) had been bused in the year before court-ordered desegregation. About 3,020 students (33 percent of 9,145 total enrollment) were bused during the first year of the plan. The increase

^{7/} Statistics made available by the Office of the Superintendent.

was solely in the number of elementary students bused. About 650 of the pupils bused in both years were junior high students who were not affected by the pairing plan.

Ten additional buses were leased to join the existing fleet of 14. The average ride for students under the plan was the same as it had been before--about 2 1/2 miles or 25 minutes. The longest ride was 10 miles or 60 minutes, compared to eight miles or 52 minutes previously. Five accidents involving buses were reported in 1970-71, and the same number was reported in 1971-72. None was serious.

According to the superintendent's office, the cost per student of busing went down from \$109.27 to \$89 with the increased volume and greater efficiency in the use of buses. Classes begin on a staggered basis, with 7th and 8th graders starting at 8:00 a.m., 4th, 5th and 6th grades at 9:05 a.m., and the primary grades, organized in split sessions, beginning at 8:35 a.m. and 9:35 a.m.

Community Reaction

There was considerable opposition from parents, mostly Anglo but also Mexican-American, to the additional required busing. One expressed fear was that their children would be stranded if they became ill at distant schools. They also were upset at the loss of identity with a neighborhood and school which they feared would result from busing. They were concerned about limitation of extracurricular activities because of

bus schedules. Some questioned the safety of riding buses and of white children entering "non-white" neighborhoods. Others protested submitting their children to the "inferior" quality of education they believed was offered at the Colonia schools. Some parents simply objected on principle to the assignment of their children to schools in other neighborhoods.

Demonstrations were held in front of the superintendent's home, and an anti-busing parade was held downtown in August 1971. An unsuccessful effort was made to recall one school board member who refused to support an appeal of the order. A bomb threat was received at a July 1971 board meeting. One school board member removed his children from the public schools.

A group of parents formed to oppose the busing plan; called "Citizens Opposed to Busing," it sponsored most of the organized rallies against the plan and one prominent member was elected to the school board. Leaders of the group went to Washington to protest the plan. Despite the group's staunch opposition to the plan, members were asked to refrain from violence, and it refused to support a boycott of the schools. Its efforts did not draw a large following (about 100 were actively involved, according to one member), and although it continues to exist, it has not been publicly active in recent months.

Some Mexican American parents also questioned the busing. They agreed that "integration is good for everybody" but felt that busing

limited possibilities for "community development." Others feared what one Mexican American teacher referred to as a loss of "Pablo's identity" should he become "Paul" through the "Anglo" school system.

Several Mexican American parents and teachers, however, said there never had been any real community control nor would there be until more Mexican American professionals lived in and became active in the community. Busing to ensure equal educational opportunity would increase their children's opportunities for eventually obtaining positions as professionals, they argued.

Despite opposition to busing, there was no violence preceding or following implementation of the plan, and schools opened peacefully on September 13, 1971. One parent reported that she had never seen so many acts of "human kindness" as schools opened. Numbers attending were about 200 fewer than expected and it was believed that declining birth rates in the county, not excessive absenteeism, accounted for much of this figure.

There were three Catholic parochial schools in the area (Santa Clara Elementary, Guadalupe and St. Anthony's). St. John's Lutheran was the largest parochial school with 150-200 students paying about \$400 in tuition costs each year. Camarilla and Itueneme Christian schools were private schools located outside of the district. The parochial schools were reportedly overcrowded at the time of the order and thus unable to

accept additional students. No new private schools were formed before or during the implementation of the plan. Very little "white flight" accompanied desegregation, according to the superintendent.

Gradual acceptance of the plan by most parents followed as their fears did not materialize and as the mechanics of the transportation system were perfected. Many children seemed to enjoy the bus rides. One white child who lived near the Brittell School and who played at the school site all summer had expected to attend that school, said one school official. When he was transported across town to Driffill School in accordance with the pairing plan, his parents objected bitterly. Several weeks later, the boy's parents were informed that because of overcrowding at Driffill, their child could return to Brittell. The mother then reportedly said that she would not hear of it as her son had become accustomed to the new school and liked it. She rejected the opportunity for him to transfer back.

Similar incidents were common. A grandmother wrote to a local newspaper that although her grandson, who lived in Newport News, Virginia, was bused 16 miles to school under a desegregation plan in that community, his only comment concerned how much he liked his new homeroom teacher, a black. The woman asked, "Why, oh why can't we leave this thing to the children--they don't even know there's a problem." ^{8/}

8/ Oxnard Press Courier, September 23, 1971.

Most of those pupils who had left district schools began to return. Enrollment in 1972-73 was 9,276, of whom 50 percent were Mexican-American, 38 percent Anglo, 10 percent black, and 2 percent Oriental. "It was really no different than last year," said one driver referring to the busing situation. "Children did not act any differently, and there were no problems."

In assessing the reasons for the peaceful and successful implementation of the plan, many people interviewed by Commission staff praised the superintendent for his role in providing determined and efficient leadership despite the tension and difficulties involved. A local newspaper called him "the spearhead for peaceful acceptance of the order and complete acceptance from the community to give all children in the district an equal and improved education."^{9/}

Some thought that another important factor in assuring a calm atmosphere was the school board's agreement to proceed with implementing the plan despite continuing court appeals and its public refusal to back the recall of one of its members for not supporting the majority. One school official said that the court appeals may have satisfied the community that everything possible was being done to overturn the order, even though the court-ordered plan was being implemented pending final ruling by the courts.

^{9/} Oxnard Press Courier, May 24, 1971.

Reaction by Students

There was broad agreement among individuals interviewed by Commission staff that most students have accepted the busing. Forty to sixty white children are bused from the white beach area to Juanita School in Colonia. The school nurse or community liaison officer is available to take sick children home if necessary. The school's principal reported that he had received "very few" complaints about busing this year. One girl whose mother was reportedly strongly opposed to busing was finally enrolled in the school, and her best friend is a Mexican-American girl. An instructional aide at Juanita said that students seem "happier and more interested" in school now, with new friends and environment.

The principal at Curren School said that children seem happy there also. Half of the school's 640 children are bused from the beach and rural areas for about 15 minutes, and a late bus is available for those who participate in extracurricular activities such as the chess club. Parents rode the buses to Curren with the children in the first days of desegregation but no longer do so. "You know," said a parent volunteer, "the kids will get along just fine if we parents leave them alone."

Two 6th grade friends at Curren, one Oriental and one Mexican-American, told Commission staff that their classes are predominantly white but that their teachers are fair to all students. They believe

it is important to attend integrated classes because "you will grow up to be intelligent and will learn how to treat black, white, Mexican American and Oriental people." A teacher at Curren reported that his class of 34 evaluated busing, and 90 percent said that it was a "good thing." They "like it" because they "get to know other people."

The general calm that prevailed in the elementary schools continued in other district schools despite the controversy over busing.

Haydock Junior High School was not affected by the busing order. Student interaction is good, according to school staff, and class attendance is about 95 percent. One teacher at Haydock at first strongly resented the busing of his child to the inner-city Colonia area. A colleague said he is now "very, very satisfied and feels that this has done more to break down racial prejudice than all the talking to his son about such matters could have done." In fact, said the colleague, the teacher concedes that "his child educates him to the fact that he himself may be prejudiced in some respects."

Incidents

There have been no major interracial incidents in the schools since the court-ordered plan was implemented. Some friction was reported at Curren between the affluent and poor students. Some incidents of petty extortion, bullying and threats have occurred involving mostly the older junior high students. But suspensions at the schools have

reportedly been no more numerous than before desegregation, and incidents of misconduct are generally no different than they were.

In fall 1972 principals and teachers told the superintendent that "there was a pronounced improvement in student behavior and fewer fights" at the beginning of the second year of desegregation. The separation of the older and younger children was considered partly responsible for the stable behavior. The transfer of classes of students with their teachers to the different schools also made a difference in student behavior.

The Quality of Education

In September 1971, Oxnard was given \$227,500 in Emergency School Assistance Program (ESAP) funds to be used in helping the district with desegregation. ^{10/} An ethnically mixed advisory committee met each

10/ ESAP funds were used for (1) intergroup relations--providing personnel and implementing programs to foster better understanding between different ethnic groups in the schools and community; (2) dissemination of information --keeping the community apprised of the progress being made in desegregation and integration, including a monthly newsletter, a speaker's bureau, and newspaper, radio and television coverage of district events where possible; (3) counseling services--providing for one counselor to help students adjust to a different school setting from the one to which they had been accustomed; (4) instructional services--providing six resource teachers, one for every pair of elementary schools to assist teachers in developing meaningful curriculum for an integrated educational setting; (5) curriculum modification--providing consultants and substitutes for teachers to permit their involvement in curriculum change and providing for multi-ethnic materials, black studies, Mexican American studies and a district-wide intergroup education committee; (6) inservice education--providing consultants and teachers the opportunity to observe other school districts that had experienced desegregation and providing funds for books on intergroup education for conferences and for rental of appropriate items; and (7) staff recruitment--including a recruitment advisory committee and funds to assist in the district effort to recruit more minority group teachers.

month during 1971-72 to discuss the desegregation program and various specific aspects of ESAP aid and to make recommendations to the board of trustees. The program was extended through January 31, 1973, with an additional \$95,580 provided.

The district meanwhile continued its Title I compensatory education program, ^{11/} receiving \$308,430 in 1971-72 and \$319,884 in 1972-73. These funds were concentrated on services to 812 target area children at Juanita School but were also apportioned among Curren, Rose Avenue and Marina West schools. In 1972-73, 681 children were involved in the program.

In all, approximately \$1,212,248 was spent in 1971-72 on special programs for Colonia students. In addition to the ESEA Title I pre-school and ESAP programs, other special programs available were migrant education, Department of Agriculture reduced price or free lunches and the State Miller-Unruh Reading Program. ^{12/} The Emergency Employment Act of 1971 provided another \$91,100 to help obtain district employment for unemployed parents.

These programs helped make available more in-depth multi-ethnic activities in the schools and community. Mexican Independence Day

11/ Program funds for Oxnard provided an Auxiliary Services team consisting of a psychologist, a counselor, an instructional specialist, a math specialist, a community liaison aide, a nurse and a clerk, plus teacher aides, with one aide for every 15 target area children. Several resource teachers and an English as a Second Language (ESL) teacher were added in 1972-73.

12/ Provided reading specialist teachers to aid classroom teachers in grades 1 and 2.

with folk dances was celebrated at Juanita School. A Parents' Reading and Language Arts workshop was held at Marina West in October 1972, and a cultural fair was planned at Brittell and Driffill that fall. The birthday of Dr. Martin Luther King, Jr. was celebrated at all schools on January 15.

Bilingual teaching was viewed by a number of teachers as a real need in the district. The school board voted down a bilingual program but recently incorporated three bilingual, bi-cultural classes in the school system, one at Juanita, one at Curren, and one at Ramona. Some teachers are reportedly studying Spanish on their own to improve their effectiveness.

Some teachers reportedly felt considerable frustration in their efforts to teach relatively poor children who speak little English and come from somewhat different cultural backgrounds. One board member said that the need for simultaneous translation in some classes must inevitably slow the progress of the Anglo students.

Most teachers interviewed by Commission staff said that they were determined to meet the instructional needs of the integration program. They felt that having to individualize instruction is a "good challenge," that programs have been "geared up" to meet the needs of all students (enrichment activities are available for the

most capable students), and that the schools are more "challenging" now. Several said that their classes moved along faster with Spanish translation enabling all students to keep up. A sixth-grade teacher at Sierra Linda said that his integrated class "covered more material in greater depth than ever before." As a result of school desegregation, many teachers were surprised to discover the Colonia children "were not as bad as expected," and "teachers are learning new things themselves." One teacher reported that teachers are increasingly pre-occupied by such non-racial or ethnic matters as teacher accountability requirements and the budget.

School officials feel that it is too early to measure accurately any achievement gains or losses resulting from desegregation. A 5th grade teacher at Driffill School said her students show greater racial and ethnic sensitivity and awareness than before.

A source of concern to Oxnard officials is the low percentage of Mexican American faculty and staff. ^{13/} The district was recognized in 1971 by the Educational Services Bureau in Washington as having the best planned recruitment program of an integrated teaching staff in the nation. ^{14/} This program included sending recruiters into Southwest colleges in search of Mexican American teachers, contacts

^{13/} In 1970-71, one of 14 school principals was Mexican American. Another became principal in 1971-72. District faculty included 330 Anglos, 23 blacks, 13 Mexican Americans and eight Orientals. By October 1972, 38 members of the certificated staff (teachers, counselors, psychiatrists, deans and administrators) were Mexican American and 32 were black.

^{14/} Oxnard Press Courier, January 20, 1971.

by letter between prospective teachers and minority members of the district staff, and the establishment of an intern program to train additional teachers of minority backgrounds. A Community Recruiting Advisory Committee, representatives of the NAACP and the Mexican American Educators' Association, and other educators and community leaders. The district has vowed to continue its efforts to increase substantially the number of Mexican Americans in responsible positions.

There are other problems facing the district's schools and the community, some of which can be traced to events occurring at the National and State levels. According to several school administrators, anti-busing efforts in Washington have given heart to local anti-busing leaders. As in other parts of the State, Oxnard citizens voted 2-1 in favor of Proposition 21, an anti-busing provision on the State ballot last November. A poll of Oxnard parents taken in the summer of 1972 revealed that their major recommendation for improving district schools was an end to busing. One administrator feared that new anti-busing legislation would impose a further obstacle to equal educational opportunity in Oxnard.

Furthermore, as in other communities in the nation, language and cultural differences may be more important than race in blocking community harmony in Oxnard. The socio-economic position of many Mexican Americans in the community shows little sign of improving.

Desegregation in this racially and ethnically mixed community has not been easy, but there is evidence of growing optimism and satisfaction with what is happening in the schools and community because of desegregation. Nearly 100 students who had left the school system have reportedly returned. The superintendent's office reported that it had received fewer than half a dozen calls concerning problems with busing during the first half of the 1972-73 school year. Some of those originally opposed to the plan now seem prepared to agree with the view expressed by the Ventura County Free Press as schools opened in September 1971:

If there is a solution to the racial, social and ethnic differences that divide our society, this is where it seems to be--in kids rubbing elbows with other kids--kids who are different in many ways--and finding that nothing ugly rubs off. It's a part of education that too many of us grown-ups missed, and if it takes some busing to achieve it for our youngsters then we must face the necessity for busing even without a court order.