

72-7306

CROWE, Dallas Randall, 1936-
DESEGREGATION OF CHARLOTTESVILLE, VIRGINIA
PUBLIC SCHOOLS, 1954-1969: A CASE STUDY.

University of Virginia, Ed.D., 1971
Education, administration

University Microfilms, A XEROX Company, Ann Arbor, Michigan

PLEASE NOTE:

The negative microfilm copy of this
dissertation was prepared and inspected by the
school granting the degree. We are using this
film without further inspection or change. If
there are any questions about the film content,
please write directly to the school.

UNIVERSITY MICROFILMS

DESEGREGATION OF CHARLOTTESVILLE, VIRGINIA PUBLIC
SCHOOLS, 1954-1969: A CASE STUDY

A Dissertation
Presented to the Graduate Faculty
of The Curry Memorial School of Education
University of Virginia

In Partial Fulfillment of
the Requirements for the Degree
Doctor of Education

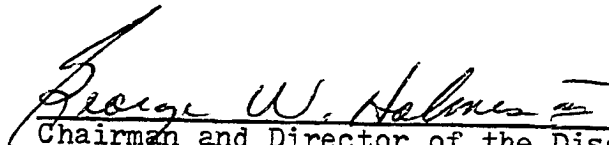
by
Dallas R. Crowe, B.S., M.Ed.
August, 1971

The University of Virginia
The Curry Memorial School of Education
The Department of Administration and Supervision
Charlottesville, Virginia

ACCEPTANCE OF THE DISSERTATION

The dissertation, "Desegregation of Charlottesville, Virginia Public Schools, 1954 - 1969: A Case Study," is accepted by the Graduate Faculty of the Curry Memorial School of Education, The University of Virginia, in partial fulfillment of the requirements for the Doctor of Education Degree.

Advisory Committee:


Chairman and Director of the Dissertation


First Reader


Committee Member

Date: July, 27 1971

DISSERTATION ABSTRACT

DESEGREGATION OF CHARLOTTESVILLE, VIRGINIA PUBLIC SCHOOLS, 1954-1969: A CASE STUDY

Dallas R. Crowe, Ed.D.
University of Virginia, August, 1971

Director: Dr. George W. Holmes, III

THE PURPOSE OF THE STUDY

The purpose of the study was to analyze the process of school desegregation in Charlottesville, Virginia Public Schools from May 17, 1954 through March 20, 1969. An analysis of the process of school desegregation in Charlottesville was attempted on the basis of a political systems framework. An effort was made in the study to identify factors which influenced School Board decisions concerning school desegregation.

It appeared that the analysis would yield answers to certain questions concerning the history of school desegregation in Charlottesville. The questions were as follows:

1. How did the individuals, institutions, and interest groups respond to the inputs examined in the study?
2. What pattern, or patterns of relationships developed among individuals, institutions, and interest groups?

3. What were the significant actions and decisions which produced identified changes?

METHODOLOGY

The case study method was used as the basis for the study. Sources of data for the case study consisted of minutes of School Board meetings, minutes of City Council meetings, court records, and local daily newspaper accounts of events which affected school desegregation. The description of those events and actions was organized on the basis of three periods of time. Whereas the case study method was used to develop the study, the data treated in the study was analyzed through the use of a political systems framework which utilized inputs, interaction, and outputs.

RESEARCH ASSERTIONS

The following research assertions are statements of presumed relationships based on evidence in the study. The statements appear to identify the most important issues that were uncovered in the study.

Assertion No. 1. External influences were crucial to the process of school desegregation in Charlottesville.

Assertion No. 2. The behavior of decision makers in Charlottesville toward the process of school desegregation was consistent during most of the time periods of the study.

Assertion No. 3. Charlottesville was forced into the limelight as one of the first cities in Virginia to desegregate schools.

Assertion No. 4. The Charlottesville School Board gradually assumed responsibility for school desegregation after all legal measures to resist it were exhausted.

Assertion No. 5. The School Board acted to maintain a desegregated school system when it appeared that one desegregated school might become resegregated.

Assertion No. 6. The creation of the Charlottesville Education Foundation diverted the feelings of segregationists against school desegregation and permitted desegregation to begin peacefully in Charlottesville.

Assertion No. 7. Violence in Charlottesville probably was averted by the strong statement issued by Mayor Thomas J. Michie, Sr. on September 2, 1958.

Assertion No. 8. The organization of the Parents' Committee for Emergency Schooling indicated that there was strong support for continued public education in Charlottesville during the school closing crisis during the fall and winter of 1958 and aided the process of school desegregation.

Assertion No. 9. The faculty of Lane High School played a significant role in the maintenance of public education in Charlottesville by insisting that the Lane faculty control the emergency high school program during the school closing crisis

of the fall and winter of 1958 and by refusing to join the CEF high school staff during the 1959-60 school year.

Assertion No. 10. White and black teachers and staff probably were ill-prepared for the task of total desegregation when it was approved by the School Board.

Assertion No. 11. Black pupils at the formerly-white high school became disillusioned with the desegregated high school program after the black high school was closed.

Assertion No. 12. There probably was some cultural shock for both whites and blacks who were involved in the process of school desegregation in Charlottesville.

CONCLUSION

A great amount of time, thought, planning, and emotion was spent on the process of school desegregation in Charlottesville. It appeared that the process of desegregation in all schools operated by the City was accomplished.

ACKNOWLEDGMENTS

The writer is indebted to Dr. George W. Holmes, III, his advisor and dissertation director, for his guidance, patience, and understanding during the process of this study and the eight years of "on-again", "off-again" graduate study which preceded this work. The writer is also indebted to Dr. W. H. Seawell, Professor of Education, and Dr. James H. Bash, Professor of Education and Director of the Consultative Resource Center on School Desegregation at the University of Virginia, for their counsel and suggestions during the time the study was made. A special note of thanks is in order from the writer to Dr. Edith K. Mosher, Assistant Professor of Education, for her advice and insight on school politics and the construction of the methodology formulated for this study.

The writer wishes to acknowledge members of his family for their direction and support prior to and during the time this study was undertaken. They include: the writer's wife, Ethel, who never ceased in her support and faith that the undertaking could be accomplished; the writer's children, Sandra and Rebecca, who are a part of the generation that must develop integrated schools; the writer's mother, Julia Bernice, who taught him about honesty and respect for one's fellows; and the writer's father, the late Horace R. (Pete) Crowe, Sr., who taught him about the meaning of earnest labor.

The writer wishes to acknowledge all those persons unnamed who assisted in the gathering of information and data for the study. Finally, the writer acknowledges his typist, Mrs. Pamela A. Austin. Without her help and persistence, this work would not have been completed.

TABLE OF CONTENTS

	Page
ACKNOWLEDGMENTS	iii
LIST OF FIGURES	viii
 Chapter	
1. INTRODUCTION	1
PURPOSE OF THE STUDY	9
METHODOLOGY	11
LIMITATIONS OF THE STUDY	18
DEFINITION OF TERMS	21
IMPORTANCE OF THE STUDY	23
ORGANIZATION OF THE STUDY	24
2. THE FIRST TIME PERIOD FROM MAY 17, 1954 THROUGH SEPTEMBER 8, 1959	25
3. THE SECOND TIME PERIOD FROM SEPTEMBER 8, 1959 THROUGH AUGUST 31, 1965	149
4. THE THIRD TIME PERIOD FROM SEPTEMBER 1, 1965 THROUGH MARCH 20, 1969	228
5. ANALYSIS OF THE PROCESS OF SCHOOL DESEGREGATION IN CHARLOTTESVILLE, VIRGINIA	307
INTRODUCTION	307
ANALYSIS OF THE FIRST TIME PERIOD FROM MAY 17, 1954 THROUGH SEPTEMBER 8, 1959 . .	308
Input During the First Time Period	308
Interaction During the First Time Period	308

Chapter	Page
Output of the First Time Period	317
Responses During the First Time Period . . .	318
Relationships During the First Time Period	320
Decisions and Actions During the First Time Period	321
ANALYSIS OF THE SECOND TIME PERIOD FROM SEPTEMBER 8, 1959 THROUGH AUGUST 31, 1965	322
Input During the Second Time Period	323
Interaction During the Second Time Period	323
Output of the Second Time Period	335
Responses During the Second Time Period . . .	335
Relationships During the Second Time Period	337
Decisions and Actions During the Second Time Period	340
ANALYSIS OF THE THIRD TIME PERIOD FROM SEPTEMBER 1, 1965 THROUGH MARCH 20, 1969	342
Input During the Third Time Period	343
Interaction During the Third Time Period	343
Output of the Third Time Period	357
Responses During the Third Time Period . . .	358
Relationships During the Third Time Period	362
Decisions and Actions During the Third Time Period	364

Chapter	Page
RESEARCH ASSERTIONS PERTAINING TO THE PROCESS OF SCHOOL DESEGREGATION IN CHARLOTTESVILLE, VIRGINIA	366
CONCLUSION	379
BIBLIOGRAPHY	381

LIST OF FIGURES

Figure	Page
1. A Model of Easton's Framework For Political Change As Applied in the Study	15
2. Examples of Elements to be Described, Found, or Analyzed in Various Periods of Easton's Frame- work for Political Analysis As Applied in the Study	19

Chapter 1

INTRODUCTION

School desegregation became a matter of paramount concern for school boards, school administrators, and communities when the decision of the United States Supreme Court, in the case of Brown v. Board of Education of Topeka, was announced on May 17, 1954.¹ The decision of the Supreme Court created special concern for most people in the states of the South. By law and custom segregation of the races was a way of life in the South. The decision of the Supreme Court, thus, was a threat to an established social order. Many white citizens were opposed to the change ordered by the Supreme Court. Others were reluctant to have such a change made because of social pressure from relatives, friends, neighbors, or business associates. This was the case in Virginia and in Charlottesville.

On October 6, 1955, certain black citizens applied to the Charlottesville School Board to have their children transferred from black public schools to white public schools. The School Board acted in accordance with directives from the Virginia State Board of Education and announced that the

¹Brown v. Board of Education of Topeka, 347 U. S., 74 S. Ct. 686 (1954).

Charlottesville School Board would operate segregated public school facilities only, thereby rejecting the transfer requests of the black parents.

The National Association for the Advancement of Colored People (NAACP) became actively involved in the desegregation issue in Charlottesville at this time. The NAACP provided legal assistance to the black parents of Charlottesville and initiated a desegregation suit, Allen v. School Board of the City of Charlottesville.² This action by certain black parents and the NAACP initiated the process of school desegregation in Charlottesville, Virginia that would not end until March 20, 1969 when the Charlottesville School Board adopted elementary school attendance areas which placed predominantly-black residential sections of the City in each of the attendance areas.³ The remnants of de jure segregation in Charlottesville were ended.

One of the earliest cases involving de jure segregation was heard in a state court in Massachusetts in 1849. The state court held in the case, Roberts v. City of Boston, that it was constitutional to segregate black pupils from white pupils attending public schools. The key to this

²Allen v. School Board of the City of Charlottesville, 263 F. 2d. 295 (1959).

³Charlottesville, Virginia School Board Minutes, March 20, 1969, p. 7.

decision was that equal opportunities had to be available to all pupils.⁴

The issue of de jure segregation was brought into national focus in 1896. During that year the United States Supreme Court heard the case of Plessey v. Ferguson in which the separation of races in public transportation was considered. The Supreme Court ruled that separation of the races was lawful if equal accommodations were provided for all concerned.⁵

Many cases which involved segregation of pupils by race in the public schools were brought before the Supreme Court between 1896 and 1954.⁶ It was not until 1954 that the Court rejected the precedent of "separate, but equal" established in Plessey v. Ferguson. In Brown v. Board of Education of Topeka, the Supreme Court cited the "equal protection clause" of the Fourteenth Amendment of The Constitution of the United States and ruled in favor of the plaintiffs.⁷ The ruling abolished de jure segregation.

The first official reaction in Virginia to the Supreme Court decision was cautious, but optimistic. Governor

⁴Roberts v. City of Boston, 59 Mass. 198 (1849).

⁵Plessey v. Ferguson, 163 U. S. 537 (1896).

⁶Newton Edwards, The Courts and the Public Schools (Chicago: The University of Chicago Press, 1955), p. 548.

⁷United States, The Constitution of the United States, Amendment 14, Section 1.

Thomas B. Stanley stated that he saw no hasty action forthcoming from the State level of government. He stated further that he expected to call a meeting of representatives of all levels of government in the State to devise a plan acceptable to Virginians and in agreement with the ruling of the Supreme Court.⁸

U. S. Senator Harry F. Byrd was recognized as political patriarch of Virginia during this time. On May 17, 1954 his reaction to the decision of the Supreme Court was a call for sober judgment and reflection by all Virginians. The ruling of the Supreme Court was inconsistent with the State's rights of Virginia, according to Byrd's interpretation. Virginia, so far as Byrd was concerned, was not prepared to acquiesce to the Supreme Court on this ruling.⁹

Just five weeks after making the somewhat conciliatory statement referred to above, the Governor reversed his position. He stated that he would use all legal means at his disposal to continue segregated schools in Virginia.¹⁰ The statement by the Governor brought his position in line with that of the senior senator from Virginia.

⁸Richmond, Virginia The Richmond News Leader, May 17, 1954, p. 1, col. 6.

⁹Ibid., col. 8.

¹⁰The Richmond News Leader, June 26, 1954, p. 1, col. 8.

This initial maneuvering for position on the Supreme Court ruling on school desegregation by political leaders in Virginia was followed by a series of official acts. Those acts included: the appointment by the Governor, in September, 1954, of a special commission to study the problem posed by the decision of the Supreme Court and to make recommendations; the calling of a special session of the General Assembly of Virginia in November, 1955; the holding of a State referendum in January, 1956; and the conducting of a limited constitutional convention in March, 1956. If those acts had been followed to their logical conclusion, school desegregation would have been left in the hands of local school boards because, traditionally, Virginia public schools were operated at the local level, but with State financial assistance and guidance.

Rather than follow the recommendations of the special commission appointed by the Governor, the General Assembly of Virginia adopted massive resistance as the official policy of the Commonwealth. Massive resistance was a strategy designed to permit the Governor to withhold State funds from any public school in the State and to order it closed if black pupils and white pupils were enrolled in the same school. Local option for school desegregation was not permitted under the law.

The legislation known as massive resistance was enacted in the House of Delegates by a vote of 61 to 37.

In the Senate, it passed by a vote of 21 to 17. Fourteen Senate votes for the bill came from the so-called "black-belt" constituencies of rural Southside Virginia. Local option was declared the enemy of the Democratic organization by State Senator Mills E. Godwin, Jr., of Suffolk when he said that the legislation as passed was needed to deter those communities in Virginia which might consider action to desegregate their public schools.¹¹

Massive resistance led finally to the closing of schools in Charlottesville, Norfolk, Prince Edward County, and Warren County in the fall of 1958. Except in Prince Edward County, those schools were reopened in February, 1959 when the massive resistance laws were ruled unconstitutional by the Virginia Supreme Court of Appeals. Prince Edward County Public Schools remained closed for several years until reopened by a Federal Court order.

School desegregation began during the fall of 1959 in Charlottesville. Desegregation proceeded peacefully in Charlottesville, though slowly, and all City public schools were eventually desegregated.

¹¹Richmond, Virginia Richmond Times-Dispatch, September 5, 1956, p. 8, col. 1.

The reaction in Virginia to the Supreme Court decision on school desegregation was treated by Muse,¹² Gates,¹³ Bartley,¹⁴ and Wilkinson.¹⁵ Each of these authors presented the case of the political development of massive resistance in Virginia, and, in one case, in other parts of the South.

Orfield described school desegregation in Virginia. In particular, he was concerned with the impact of judicial decisions and executive orders on public school operations.¹⁶

Lutz,¹⁷ Sartain,¹⁸ and DeBerry¹⁹ explored attitudes toward school desegregation of whites, blacks, parents,

¹²Benjamin Muse, Virginia's Massive Resistance (Bloomington: Indiana University Press, 1961).

¹³Robbin L. Gates, The Making of Massive Resistance (Chapel Hill: The University of North Carolina Press, 1964).

¹⁴Numan V. Bartley, The Rise of Massive Resistance: Race and Politics in the South During the 1950's (Baton Rouge: Louisiana State University Press, 1969).

¹⁵J. Harvie Wilkinson, III, Harry Byrd and the Changing Face of Virginia's Politics, 1945-1966 (Charlottesville: The University Press of Virginia, 1968).

¹⁶Gary Orfield, The Reconstruction of Southern Education (New York: John Wiley and Sons, 1969).

¹⁷Marie E. Lutz, "A Study of Junior High School Transferees Resulting From Boundary Changes Involved in Improving Racial Balance" (unpublished Doctor's dissertation, Syracuse University, 1966).

¹⁸James A. Sartain, "Attitudes of Parents and Children Towards Desegregation" (unpublished Doctor's dissertation, Vanderbilt University, 1966).

¹⁹Clyde E. DeBerry, "A Study of Attitudes Toward Equal Educational Opportunities and of Community Decision-Making" (unpublished Doctor's dissertation, University of Oregon, 1967).

teachers, children, administrators, school boards, and communities as each of these was involved with school desegregation. Corwin,²⁰ Huie,²¹ and Wiley²² studied specific communities in an effort to understand the problems encountered in those communities as their public schools were desegregated. Crain studied the variations of school board decisions on desegregation issues, groups affected by school board decisions, and characteristics of the school boards in thirteen large cities in the United States.²³

Kirst and Mosher stated that few studies had been focused on the function of political processes during periods of time. They indicated further that this was a part of an overall deficiency in the field of politics of education. Politics of education was a new field of inquiry and the deficiency resulted from ". . . the need to delineate and analyze vastly complex data, from the scarcity of funding

²⁰Ronald D. Corwin, "School Desegregation in Syracuse: A Study in Community Decision-Making" (unpublished Doctor's dissertation, Syracuse University, 1968).

²¹Henry M. Huie, "Factors Influencing the Desegregation Process in the Atlanta School System, 1954-67" (unpublished Doctor's dissertation, University of Georgia, 1967).

²²Alfred D. Wiley, "A Study of Desegregation in the Evansville School Corporation, Evansville, Indiana" (unpublished Doctor's dissertation, Indiana University, 1961).

²³Robert L. Crain, The Politics of School Desegregation (Chicago: Aldine Publishing Company, 1968).

and competent researchers, and from the use of diverse conceptual mappings in the field. . . ."24

This study was conceived to add to the growing case-study literature concerning the problem. An effort was made during the study to examine a series of events, actions, and decisions relating to desegregation in a single community over a dimension of time-space.

PURPOSE OF THE STUDY

The purpose of the study was to analyze the process of school desegregation in Charlottesville, Virginia Public Schools from May 17, 1954 through March 20, 1969. An analysis of the process of school desegregation in Charlottesville was attempted on the basis of a political systems framework. An effort was made in the study to identify factors which influenced School Board actions and community acceptance of School Board decisions concerning school desegregation.

The experience of school desegregation in Charlottesville, Virginia began on May 17, 1954 with the decision of the Supreme Court in Brown v. Board of Education of Topeka. This suit led to a similar suit in Charlottesville. In the meantime, the Virginia General Assembly enacted massive resistance laws which empowered the Governor to close any

²⁴Michael W. Kirst and Edith K. Mosher, "Politics of Education," Review of Educational Research, December, 1969, pp. 629-630.

public school in the State which was ordered to be desegregated. The Governor closed two schools in Charlottesville in September, 1958. The school desegregation experience ended in Charlottesville when the School Board adopted elementary school attendance areas which completed desegregation of all City schools.

It appeared that the analysis would yield answers to certain questions concerning the history of school desegregation in Charlottesville. The answers to the questions contributed to understanding the process of school desegregation in Charlottesville. The questions provided guidance in summarizing the study. The questions are as follows:

1. How did the individuals, institutions, and interest groups respond to the inputs examined in the study?
2. What pattern, or patterns of relationships developed among individuals, institutions, and interest groups?
3. What were the significant actions and decisions which produced identified changes?

A change of significant proportions in Charlottesville School Board actions toward school desegregation occurred between May 17, 1954 and March 20, 1969. The interaction among individuals, institutions, and interest groups which produced that change was described in the study.

METHODOLOGY

The case study method was used as the basis for the study. Sources of data for the case study consisted of minutes of School Board meetings, minutes of City Council meetings, court records, and local daily newspaper accounts of events which affected school desegregation. The weekly newspaper was not used because past issues were available only to three years prior to 1971. The interview was not used because of the time lapse between events and the investigation for the study. Minutes of School Board meetings, minutes of City Council meetings, court records, and daily newspaper accounts were utilized because they provided information about events which was contemporary with those events. Contemporary reports of events, thoughts, feelings, and actions were thought to be more reliable than those reports of events, thoughts, feelings, and actions based upon recollections in interviews.

The events which influenced school desegregation, and the actions by the School Board were described. The description of those events and actions was organized on the basis of three periods of time. The first time period began with the original Supreme Court decision in 1954 and ended when black pupils were transferred to the white schools of Charlottesville. The second time period began when the first black pupils were transferred to the formerly-white schools and ended when the black elementary school in Charlottesville was closed and put to use as a temporary junior high school.

The third time period began with the conclusion of the operation of the black elementary school and ended on March 20, 1969 when the School Board adopted elementary school attendance areas which effectively desegregated all schools under the control of the Charlottesville School Board.

An analysis of events and actions related to school desegregation in Charlottesville was made for each time period. The action related to school desegregation was used as the input during each time period. The events which created interaction during each time period helped to produce an output for each time period which appeared to be a significant development in school desegregation in Charlottesville. The questions identified in the purpose of the study helped to limit the scope of the analysis as the study was conducted.²⁵ This methodology was based upon the works of several authorities in the fields of research, school desegregation, political science, and the politics of education.

Crain recommended the case study method on the basis of what he considered to be two major advantages as indicated in the following quotation:

. . . The great advantage of the case study is that it makes minimal restrictions on the research. The observer can feel free to pursue a particular hypothesis as far as his imagination . . . will permit.

.

²⁵Carter V. Good and Douglas E. Scates, Methods of Research (New York: Appleton-Century-Crofts, Inc., 1954), p. 726.

The other advantage to the case study is that it permits a "total analysis" of the particular issue.²⁶

Good and Scates wrote the following about historical research which also may apply to case studies:

. . . Modern students of education, psychology, and history itself are not so much interested in the purely unique events of the past as in the synthesis of historical data to serve as a functional guide in analyzing current problems and conditions.²⁷

Whereas the case study method was used to develop the study, the data treated in the study required a framework around which it could be organized for analysis. The framework for political analysis conceived by Easton was used to organize the data.²⁸ Easton wrote the following in reviewing his framework:

In a political system's internal organization, a critical property that it shares with all other social systems is an extraordinary variable capacity to respond to the conditions under which it functions. Indeed, political systems accumulate large repertoires of mechanisms by which they may try to cope with their environments. Through these mechanisms, they may regulate their own behavior, transform their internal structure, and even go so far as to remodel their fundamental goals. Few types of systems, other than social systems, have this potentiality.²⁹

²⁶Crain, Ibid., pp. 5-6.

²⁷Good and Scates, Ibid., p. 172.

²⁸David Easton, Framework for Political Analysis (Englewood Cliffs: Prentice-Hall, Inc., 1965).

²⁹David Easton, "Categories for the Systems Analysis of Politics," Varieties of Political Theory, ed. David Easton (Englewood Cliffs: Prentice-Hall, Inc., 1966), pp. 144-145.

The framework devised by Easton had as its base a social system which he referred to as a political system. The following variables were found in that political system: individuals, institutions, and interest groups. Each variable generated ideas, values, or ideology. Those variables were in a continuous state of interaction with one another as shown in Figure 1. Easton wrote as follows:

. . . what distinguished political interaction from all other kinds of social interactions is that they are predominantly oriented toward the authoritative allocation of values for a society. . . .

. . . authoritative allocations distribute valued things among persons or groups in one or more possible ways. An allocation may deprive a person of a valued thing already possessed; it may obstruct the attainment of values which would otherwise have been obtained; or it may give some persons access to values and deny them to others.

An allocation is authoritative when persons oriented to it consider that they are bound by it. . . . Important distinctions can be attributed to the acceptance of allocations as binding on the grounds of fear of the use of force or of some severe psychological sanction. . . . Self-interest, tradition, loyalty, a sense of legality, or sentiments of legitimacy are additional significant variables in accounting for a feeling of obligation to accept decisions as authoritative.³⁰

The interaction of the variables in the political system was determined by the input during each time period. The inputs during the time periods took the form of demands or modified outputs from previous time periods.

³⁰ Easton, A Framework For Political Analysis, op. cit., p. 50.

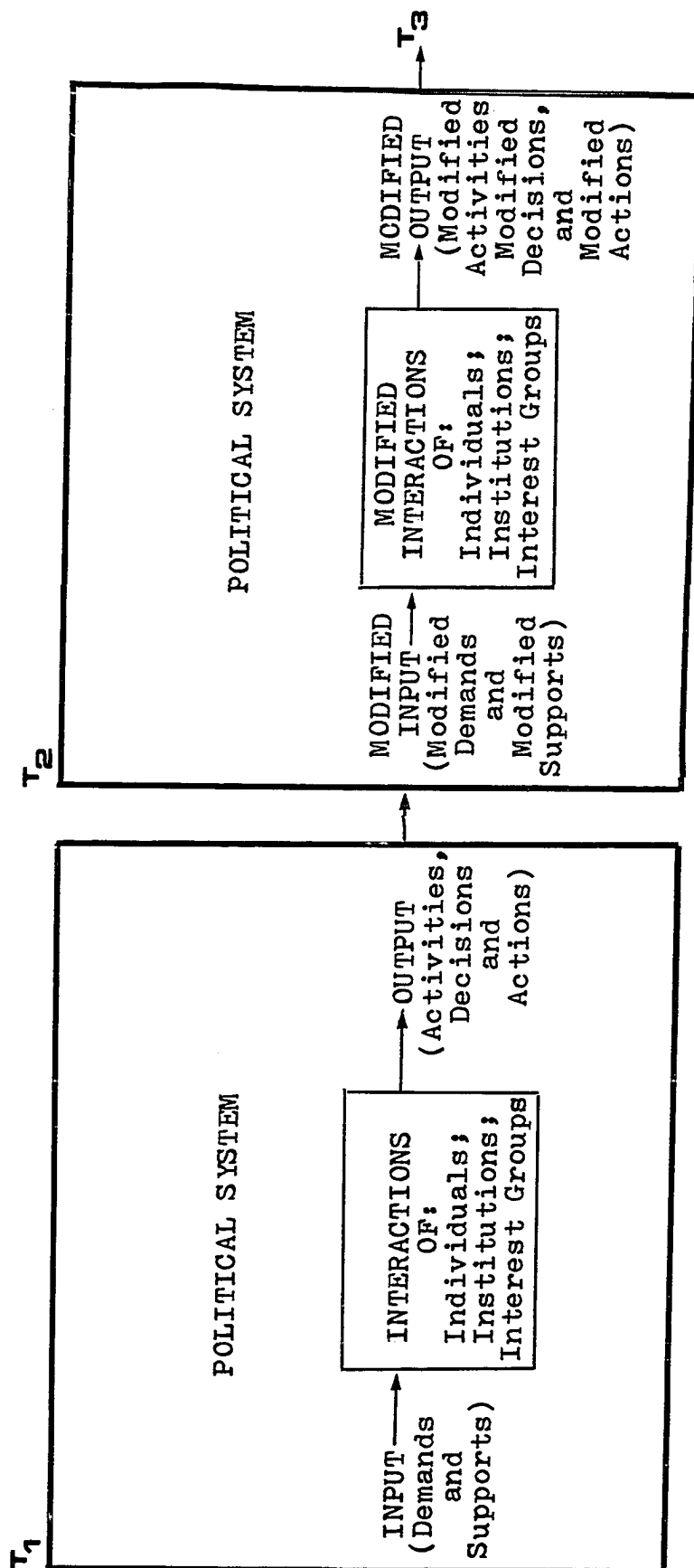


Figure 1

A Model of Easton's Framework For
Political Change As Applied in the Study

The input influenced the interaction taking place between any two, or among all three, of the variables of the political system: individuals, institutions, and interest groups. That interaction reflected and determined the output which came from the flow of the operation of the political system during each time period.

The output was the result of interaction of the variables: individuals, institutions, and interest groups. An output from the political system took the form of an activity, decision, or action, according to Easton.

The interaction among the variables of the political system, influenced by the input during each time period, determined the decision considered to be the system output. That determination resulted finally in official action by the authoritative public agency.

Easton wrote that the output from the political system was the basis for feedback into the system. That feedback took the form of inputs modified as a result of the previous output (activities, decisions, or actions). The output served to modify the inputs (demands and supports) placed upon the political system.

As a result of modified inputs, the interaction among the variables of the political system was modified. Specifically, change took place at this time. Modified objectives, goals, and values served to modify or change the interaction

of the variables of the political system as shown in Figure 1 in T_2 .

The feedback process was used in the political system to cope with pressure upon the system. The future behavior of the political system was adjusted by observing the interaction of the variables and the resultant output and the demand the output required when the output became a modified input during the following time period. Because of this adjustment, the political system was adapted to new conditions and continued to function by determining values for the society, however they were modified in the political system.

An example of an input examined during the first time period in the study was the Supreme Court decision on school desegregation and the events that followed in Charlottesville from 1954 to 1959. A dual school system was maintained at that time: one for whites and one for blacks. Eventually, the Charlottesville School Board was brought to federal court by black plaintiffs demanding transfer of certain black pupils into white schools.

The output, in this case the court decision to desegregate schools in Charlottesville, resulted in a modified input for the second time period. At the State level it meant the closing of schools in Charlottesville. For Charlottesville, it meant emergency measures to provide schooling

for those children displaced by closed schools. The interaction of individuals, institutions, and interest groups brought about a ruling from the Virginia Supreme Court of Appeals that the school closing was unconstitutional. The output of that interaction was the reopening of the closed schools as desegregated schools in September, 1959.

This output became the modified input for the following time period from 1959 to 1965. The framework of modified inputs, modified interaction, and modified outputs developed there and during the succeeding time period from 1965 to 1969. This framework provided for an analysis and development of the process of school desegregation in Charlottesville. Examples of elements that were described, found, or analyzed in the study are found in Figure 2.

LIMITATIONS OF THE STUDY

The study was limited to the school desegregation experience in Charlottesville, Virginia from May 17, 1954 to March 20, 1969. Charlottesville was affected vitally by the massive-resistance laws of the General Assembly of Virginia until they were ruled unconstitutional by the Virginia Supreme Court of Appeals. The Charlottesville City School Board was unable to initiate desegregation, even on the smallest scale, because of the massive-resistance laws. The School Board waited until the massive-resistance laws were

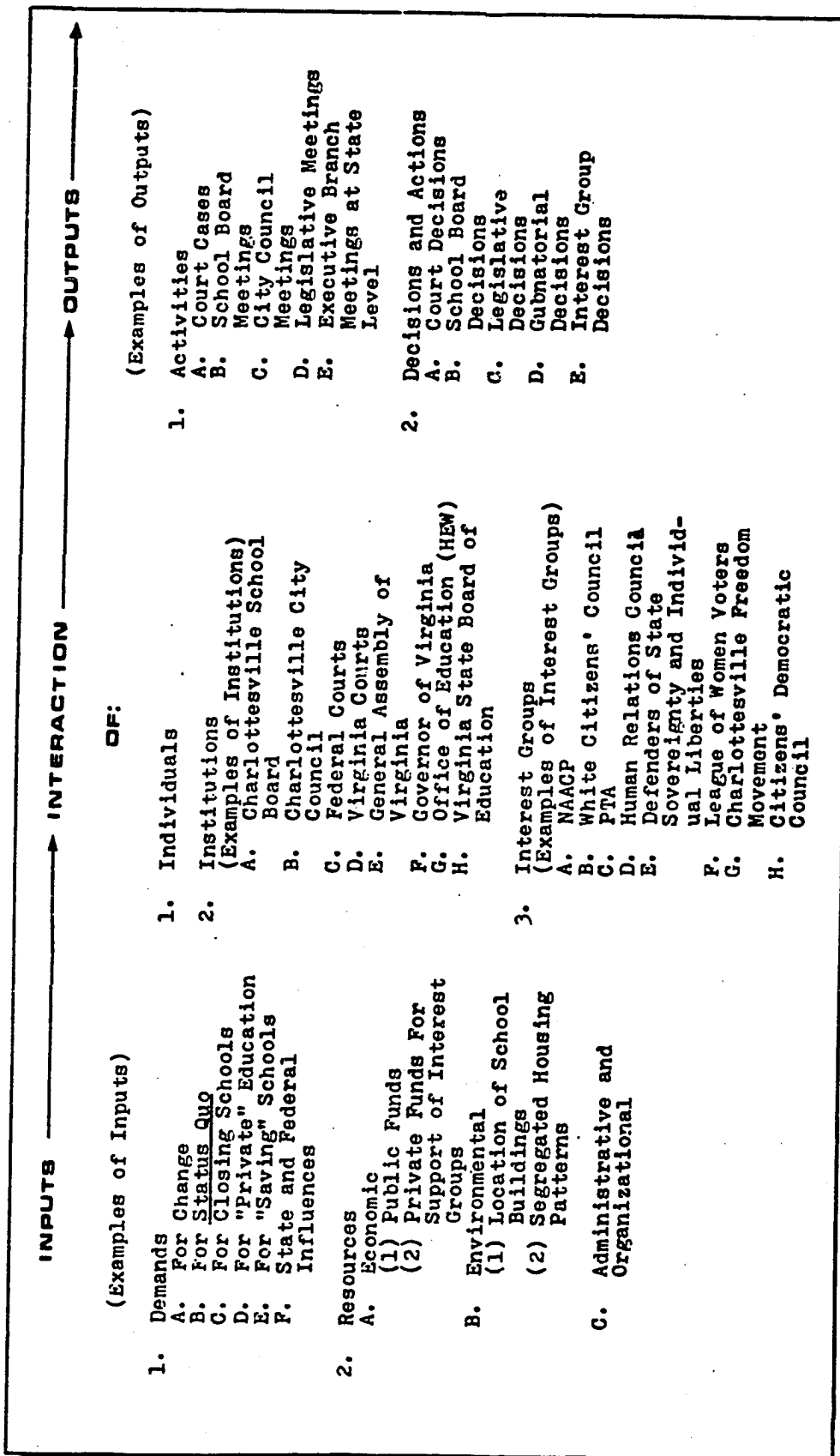


Figure 2

Examples of Elements to be Described, Found, or Analyzed in Various Periods of Easton's Framework for Political Analysis As Applied in the Study

overturned in court before complying with court orders for school desegregation.

The Charlottesville School Board consisted of seven members appointed by a five-member City Council. Each School Board member was appointed for a three-year term and served a maximum of nine years. The School Board was fiscally dependent upon the same City Council; that is, the School Board submitted the annual school operations budget to the City Council for approval. The Charlottesville City Council maintained, therefore, a rather significant ex officio relationship to the operation of public schools in Charlottesville. If the School Board had been fiscally independent of the City Council, the decisions made by the School Board pertaining to school desegregation might have been different from those made by the School Board operating under the influence of City Council.

Charlottesville was a university community. It was the location of the University of Virginia. The University of Virginia was the major employer in Charlottesville. Thus, Charlottesville was not typical of the cities of Virginia because the student body and faculty of the University of Virginia were drawn from a national source, rather than predominately from a State source.

Outlined simply, Charlottesville was unique, in terms of the study, because of the effects upon its public schools from massive-resistance laws, a fiscally-dependent, appointed

School Board, and the atypical socio-economic influence generated by the presence of the University of Virginia. As a result, generalizations drawn from the study may be applicable only to Charlottesville and similar college and university communities.

DEFINITION OF TERMS

There are several terms used in the study which deserve definition. Many of the terms defined here were used by Easton.

Actions

The term, actions, as used in this study, referred to concrete official moves intended to produce change or to reenforce present practice in the operations of community public facilities as a result of the behavior of the variables of the system. This was found particularly in the allocation of funds, issuance of instructions to personnel, redrawing of school attendance zones, and training programs.

Activities

The term, activities, as used in this study, referred to the behavior of the variables of the political system which resulted from interaction.

Decisions

The term, decisions, as used in this study, referred to the consequences which resulted from the behavior of the

variables of the system.

Demands

The term, demands, as used in this study, referred to calls upon the political system for change, or for maintenance of the status quo, depending upon the motivations of the caller.

Inputs

The term, inputs, as used in this study, referred to events or conditions that bring pressure on the political system. For the purposes of this study, inputs were sub-categorized into demands and resources.

Institutions

The term, institutions, as used in this study, referred to those formally constituted bodies or agencies such as governing bodies, or their executive officers, judicial bodies, legislative bodies, schools and universities which interacted with other variables in the political system.

Outputs

The term, outputs, as used in this study, referred to the activities, decisions, and actions which resulted from the interaction of the political system. According to Easton, outputs were authorities' decisions and actions that were produced by the political system and influenced the environment.

Political System

The term, political system, as used in this study, referred to the interaction of variables (individuals, institutions, and interest groups) that produced values which were allocated authoritatively for a society.

Pressure

The term, pressure, as used in this study, referred to those disturbances or influences on the environment of the political system that affected the system, and caused it to change, or replaced it with another system that made the change.

Time Period

The term, time period, as used in this study, referred to that segment of time which was identified with a beginning, a set of events, and a conclusion.

IMPORTANCE OF THE STUDY

It appeared that a systematic record of the events which were involved during the process of school desegregation in Charlottesville, Virginia Public Schools would be an important contribution to the field of politics of education. As the data were analyzed, every effort was made to consider and select data in the light of their effect on school desegregation processes. The study was designed to provide the reader with a concise record of the process of school desegregation in Charlottesville. It provided a record that will

serve as a history so that ignorance will not commit mankind to repeating the errors of the past.

The study was used to show how the change in Charlottesville was made. It provided an interpretation of the school desegregation process in Charlottesville. Implications were uncovered about the adaptability of community social relationships which resulted from the educational changes brought about by school desegregation. The value of public schools to Charlottesville also was investigated and interpreted during the study.

ORGANIZATION OF THE STUDY

The introduction and statement of the problem is presented in the first chapter of the study. Chapter Two follows with a description of events affecting school desegregation in Charlottesville after the 1954 decision of the Supreme Court. The events following the transfer of the first black pupils into formerly-white public schools in Charlottesville in September, 1959 are described in Chapter Three. Chapter Four is used to present the events which followed the closing of the black elementary school in Charlottesville during 1965. An analysis and a summary are presented in Chapter Five.

Chapter 2

THE FIRST TIME PERIOD FROM MAY 17, 1954 THROUGH SEPTEMBER 8, 1959

On April 6, 1954, Dean Frederick D. G. Ribble of the University of Virginia Law School delivered a speech on the subject of school desegregation. He stated that in the case pending before the Supreme Court (Brown v. Board of Education), the court had three alternatives. According to Ribble, the court could refer the question to Congress, or it could declare that precedents established the constitutionality of school segregation, or it could rule the entire principle of "separate, but equal" unconstitutional for public schools in the United States. He further stated: "We have had segregated schools for nearly 100 years, and it would be difficult to change overnight. . . . The end of segregation is only a matter of time."¹

On May 17, 1954, the ruling of the Supreme Court was handed down in Brown v. Board of Education. De jure segregation in the public schools was declared unconstitutional.²

¹Charlottesville, Virginia The Daily Progress, April 7, 1954, p. 1, col. 2.

²Brown v. Board of Education of Topeka, 74 S. Ct. 686 (1954).

Several individuals who had some interest or influence in public school affairs were interviewed by the local newspaper staff in Charlottesville. E. J. Oglesby, member of Albemarle County School Board and Professor of Mathematics in the School of Engineering at the University of Virginia, was of the opinion that the ruling would put an end to public schools in Virginia. Said Oglesby: "I believe there will be a falling off of support for the schools." R. Stanley Goodman, Chairman of the Charlottesville School Board and a banker, said that he did not anticipate any difficulty in Charlottesville because of the fine black high school facility. State Senator E. O. McCue, Jr. expressed surprise at the ruling of the Supreme Court and stated that he had not expected the court to take action at that time.³

The next day Colgate W. Darden, Jr., former Governor of Virginia and ex-congressman, and at that time President of the University of Virginia, urged that the court ruling be given careful study before any official action was taken. Francis Pickens Miller, long-time anti-Byrd Democratic spokesman in Virginia, sent Governor Thomas B. Stanley a telegram of congratulations for his statement in regard to the Supreme Court ruling. J. T. Henley, Chairman of the Albemarle County School Board, called for former-Governor John S. Battle, Sr. to head a special State commission to

³The Daily Progress, May 18, 1954, p. 1, col. 6.

study the impact of the Supreme Court ruling on public schools in Virginia.⁴

The local chapter of the National Association for the Advancement of Colored People (NAACP) expressed satisfaction with the Supreme Court decision. The following statement was issued:

The Supreme Court decision is a great victory not only for the American Negro, but for all true Americans. With America as the acknowledged world leader, it is right that she should set the example for all freedom-loving people to follow.

The South stands on the threshold of a new era. If its great potential is to be realized, it must rise to the occasion. We of the NAACP branch invite all Americans to join our crusade for freedom.⁵

The editor of The Daily Progress, local Charlottesville newspaper, noted displeasure at the Supreme Court ruling in an editorial. His position was stated in the following quotation:

For the past 25 years or more there has been a gradual relaxation of segregation, partly through court decisions but more as the result of changing popular attitudes. There could be no serious doubt but that in time it would end. But public opinion is not ready for the ending of it now. And the attempt to end it in the schools by court order can only have unfortunate consequences for public education in the areas principally affected. That is true of Virginia and it is of course even more true of many of the states farther south.

.
 . . . It is at least encouraging to note that extreme haste will probably not be necessary. The decree will not be entered in time to apply to the

⁴Ibid., col. 7.

⁵Ibid.

1954-55 school year. And it would seem reasonable to expect that full compliance with it will not be required for some time after that.⁶

The implications of the Supreme Court decision were of such importance that former-Governors Battle and Darden travelled to Richmond for a conference with Governor Stanley. Significantly, Senator Harry F. Byrd and Congressman William M. Tuck were not present at this meeting. Both men were former Governors. Byrd was the recognized leader of the State Democratic organization. Tuck was one of the chief spokesmen for the organization. The result of the meeting of the three men was inconclusive. Governor Stanley stated that the meeting was not intended to produce any decisions.⁷

An editorial promoting the wisdom of "Voluntary Segregation" was published in The Daily Progress on May 19, 1954. It was asserted in the editorial that segregation probably could be maintained where facilities for blacks were as good as facilities for whites. In a portion of the editorial quoted below it was stated that segregation might be maintained through the implementation of school district boundaries:

There has been talk that a considerable measure of segregation might be maintained, particularly in the cities, by drawing school area boundaries so as to maintain separation of the races. That is done

⁶ Editorial, The Daily Progress, May 18, 1954, p. 4, col. 1.

⁷ The Daily Progress, May 19, 1954, p. 1, col. 4.

in some northern cities and no doubt it could also be done in some localities in the South, although, obviously there are a great many in which it could not be done.⁸

The State NAACP warned that its goal in Virginia was the immediate end of segregation in the public schools. Even so, the Virginia State Board of Education notified all local school boards in Virginia to proceed with plans to continue school operations for the coming school year on a racially segregated basis.⁹ At the regular School Board meeting in Charlottesville on June 10, 1954 the Board passed a resolution in which it was stated that, "the public schools of the City of Charlottesville shall be operated on a segregated basis during the Session 1954-55 in accordance with Section 140 of the Constitution of Virginia."¹⁰

Governor Stanley pledged, on June 26, 1954, every effort on behalf of the State to block desegregation of the public schools. In the face of legal uncertainties of that prospect, the Charlottesville School Board, on July 8, postponed the decision on school construction at Lane High School

⁸ Editorial, The Daily Progress, May 19, 1954, p. 4, col. 1.

⁹ The Daily Progress, May 27, 1954, p. 1, col. 2.

¹⁰ Charlottesville, Virginia School Board Minutes, June 10, 1954, p. 2.

at the suggestion of J. Harry Michael, School Board member, and the only attorney on the School Board.¹¹

In an editorial published in The Daily Progress on July 12, 1954, the public was asked to have faith in the public schools and good will toward the community. The editor supported the need for further public school construction. In part, the following was stated in the editorial:

Surry, a small and comparatively poor Virginia county, is making a large wager that the Supreme Court ruling is not going to wreck public education. Other Virginia localities, with their much less difficult situations, should be able to look to the future with at least equal confidence.¹²

In the latter part of August, Governor Stanley appointed a Commission of legislators, chaired by State Senator Garland Gray, to study the desegregation problem and its implications. The Commission was referred to as the Gray Commission after the last name of the Commission Chairman. No Charlottesville or Albemarle County member of the General Assembly was appointed. The Daily Progress editorial writer criticized the Governor's Commission as too narrow in its representation. Of particular concern to The Daily Progress were the following points: the Commission was too large, it included no educators, it included no black representation, and because it was composed entirely of politicians, its

¹¹Charlottesville, Virginia School Board Minutes, July 8, 1954, p. 3.

¹²Editorial, The Daily Progress, July 12, 1954, p. 4, col. 1.

decisions were in danger of being influenced by political considerations.¹³

On September 9, 1954, the School Board considered and approved a plan for an addition to Lane High School. Apparently, the space needs of the school outweighed the judicial considerations of the time. This was unlike the direction taken in Albemarle County, the political subdivision that surrounded Charlottesville. This rural-dominated political subdivision, through a series of meetings of the County School Board and County Board of Supervisors, finally decided to abandon plans for a building program until the segregation issue was settled.¹⁴

On November 1, 1954, the City Council of Charlottesville unanimously adopted a resolution expressing regret at the Supreme Court decision. In part it was stated that, "its implementation may be fraught with grievous consequences to the cause of education in the South, at least at this time. . . ."¹⁵

In a series of editorials in The Daily Progress on November 15 and 16, 1954, the editor urged that the Supreme Court permit United States District Courts to judge local

¹³ Editorial, The Daily Progress, August 30, 1954, p. 4, col. 1.

¹⁴ The Daily Progress, October 15, 1954, p. 1, col. 1.

¹⁵ Charlottesville, Virginia City Council Minutes, November 1, 1954, Minute Book J, p. 85.

desegregation matters. The newspaper editor advised the Supreme Court that disastrous consequences would result from rapid compliance with the court order because there was evidence of great opposition to racial integration of the public schools in Virginia. The editor further attempted to plot a moderate course of action in a December 23, 1954 editorial. The editor commented on the Mississippi referendum to abolish public schools. The Mississippi movement was cited as strong evidence for giving the states time to desegregate the public schools.

On March 31, 1955, the NAACP heard an address at Burley High School from Roy Wilkins, Executive Secretary of the National Association for the Advancement of Colored People. He told the assemblage that he expected Virginia to abide by the Supreme Court order.¹⁶ Wilkins was of the opinion that Virginia's tradition of respect for the law would be paramount during the consideration of the interpretation of the Fourteenth Amendment to the Constitution by the Supreme Court.

During the month of April, 1955, the Supreme Court heard arguments by Virginia's Attorney-General J. Lindsay Almond, Jr. He argued that Virginia found it impossible to comply with the ruling of the Court on desegregation in the public schools. On April 13, 1955, an editorial was published

¹⁶The Daily Progress, April 1, 1955, p. 3, col. 6.

in The Daily Progress in which consideration of a policy of voluntary segregation of the races was asked. The proposition seemed practical from a white point of view, if blacks were cooperative. The black point of view did not appear to lean in this direction. Reverend Benjamin F. Bunn, Minister of the First Baptist Church (Black), six months earlier had said that most blacks were not in favor of segregation. He made his comment clear by adding: "It's not because they want to be next to white people, but because they want to be free."¹⁷

On May 31, 1955, the Supreme Court handed down the implementation decree for school desegregation. The Supreme Court set no deadlines for desegregation and left the matter of enforcement to district courts. The Supreme Court expected segregation to end as soon as possible.¹⁸ R. Stanley Goodman, Chairman of the Charlottesville School Board said the following about the edict:

It is the law of the land. When we were sworn in we agreed to uphold it. This leaves it up to the local courts. It's going to have to be worked out in each local situation.¹⁹

That same evening an organization calling itself Defenders of State Sovereignty and Individual Liberties met

¹⁷The Daily Progress, September 23, 1954, p. 1, col. 2.

¹⁸Brown v. Board of Education of Topeka, Kansas, 75 S. Ct. 753 (1955).

¹⁹The Daily Progress, May 31, 1955, p. 1, col. 7.

at the Albemarle County Courthouse. The President of the local group, Homer G. Richey, deplored the thought of integration in the public schools. He said: "The day the first Negro child walks into the first white school will mark the beginning of the end for Virginia."²⁰

On the political front, the State senatorial seat in which Charlottesville was represented was due to come before the voters. William Massie Smith, a prominent Charlottesville attorney, entered the race against State Senator McCue, a staunch Byrd supporter and a senior member of the State Senate. Smith made his position clear on desegregation in the public schools early in the campaign. He favored racially separate schools, but would not abolish public schools to prevent desegregation.²¹ The campaign progressed, and both candidates confirmed that they would not support legislation as proposed by the Defenders which would prohibit funds for desegregated schools.²²

On June 23, 1955, the State Board of Education announced the policy for the operation of public schools in Virginia for the year 1955-56. Racial separation was to be maintained in all public schools in Virginia under the policy.²³

²⁰The Daily Progress, June 1, 1955, p. 1, col. 1.

²¹The Daily Progress, April 22, 1955, p. 2, col. 4.

²²The Daily Progress, June 22, 1955, p. 1, col. 1.

²³The Daily Progress, June 24, 1955, p. 1, col. 3.

The Charlottesville School Board held a regular meeting on July 7, 1955. The School Board passed the following resolution offered by School Board member Michael:

WHEREAS, It is the policy of the State Board of Education that the public schools of the Commonwealth open and operate throughout the coming school session as heretofore,

BE IT RESOLVED, That the School Board of the City of Charlottesville operate the public schools of the City for the school year 1955-56 on the same basis as heretofore, and,

BE IT FURTHER RESOLVED, That this Board constitute itself a committee of the whole to begin promptly a study of the future operation of the City's public school system in the light of the Supreme Court decrees as may affect future operations of the public schools.²⁴

According to local newspaper reports, this was the first time the problem of school desegregation was mentioned at a School Board meeting. According to the daily newspaper report, P. A. Wallenborn, School Board member, said following the meeting that, "the Board will eventually have to face the problem, looking forward to ultimate integration."²⁵

The Defenders sponsored a debate on the concept of integration. Collins Denny, Jr., a Richmond attorney and member of the Defenders spoke for segregation at the meeting on July 19, 1955. J. Lambert Molyneaux, Professor of Sociology at the University of Virginia and prominent member of the Charlottesville Human Relations Council, spoke on the

²⁴Charlottesville, Virginia School Board Minutes, July 7, 1955, p. 4.

²⁵The Daily Progress, July 8, 1955, p. 1, col. 5.

merits of desegregation. Although pros and cons of the issue were presented thoroughly by the two participants, few in the audience seemed to be swayed in their opinions about the subject.²⁶

The issue of public school desegregation was a hotly debated question in Charlottesville. Not until July 26, 1955, did it become clear to the white community that blacks in Charlottesville were going to attempt to desegregate the public school system. On that date, Charles D. Fowler, Jr., President of the Charlottesville branch of the NAACP, announced that petitions from black parents would be presented to the School Board requesting transfer of their children to white schools. Fowler said:

We believe it is the constitutional right to attend integrated schools. We're asking the board to abide by the decision of the Supreme Court, and do it in good faith. We are afraid if we don't do anything, it will just be waiting a long time. We waited a long time for equalization of schools.

I'd like to see Charlottesville face reality. It's going to come one way or another. . . . it's certainly going to Court.²⁷

Such action on the local level was encouraged by the promise of legal assistance to local branches from the State office of the NAACP. Court action by the NAACP against the Norfolk City School Board on July 11, 1955 was a signal to

²⁶The Daily Progress, July 20, 1955, p. 1, col. 1.

²⁷The Daily Progress, July 26, 1955, p. 1, col. 1.

white and black alike that segregation in the public schools of Virginia would soon be under attack in the federal courts.²⁸

On October 13, 1955, a petition was presented to the Charlottesville School Board by black parents requesting that their children be transferred to white schools.²⁹ The following day, The Daily Progress editor, Chester R. Babcock, questioned whether or not continued public support could be expected for integrated public schools. He wrote in part:

. . . The plain truth is that if racial integration is forced in the schools of communities in which the preponderance of public opinion is opposed to it, the support necessary for continuing educational progress, or even for holding the gains already made, simply will not be forthcoming.³⁰

On October 13, 1955, the School Board acted upon the request of parents of forty-four black children as represented by Oliver W. Hill, Martin A. Martin and Spottswood W. Robinson, III and Roland D. Ealey, Richmond attorneys. Michael made the motion for the School Board to study the situation. The motion which was approved by the School Board is quoted below:

The School Board believes that it was not the intent of the Supreme Court's decision of May 17, 1954 and subsequent decrees of May 31, 1955 to disrupt a system of public education. Therefore, the

²⁸The Daily Progress, July 12, 1955, p. 1, col. 6.

²⁹Charlottesville, Virginia School Board Minutes, October 13, 1955, p. 3.

³⁰Editorial, The Daily Progress, October 7, 1955, p. 4, col. 1.

problem confronting the Board is to find a solution which will conform to the Supreme Court's interpretation of the law and be acceptable to parents and taxpayers who use and support the public schools. Such a solution can be found only after sober reflection over a period of time.

The position of the School Board with reference to this problem is stated in the following Resolution adopted by the Board on July 8, 1955. . . .

.
 AND BE IT FURTHER RESOLVED, That the Petition aforesaid be and it hereby is, referred to the Committee of the Whole for consideration and study with such recommendations as the Committee may have to be made as a part of its report to this Board.³¹

The concern about local support of public education in the event of desegregation apparently was widespread. Former-Governor Battle said that many localities would not vote for school funds to support desegregated schools. This statement was made in New York before a group of industrial officials who had plants in Virginia.³²

There was, however, some concern from the opposite direction. The Virginia Council on Human Relations called upon the leaders of Virginia to formulate a school adjustment program that would bring Virginia into compliance with the decisions of the Supreme Court. The Council also urged Governor Stanley to solicit advice from both black and white leaders to preserve the public school system.³³

³¹Charlottesville, Virginia School Board Minutes, October 13, 1955, p. 3.

³²The Daily Progress, November 2, 1955, p. 1, col. 8.

³³The Daily Progress, November 3, 1955, p. 1, col. 6.

The Gray Commission reported to Governor Stanley on November 11, 1955. The Commission presented two basic considerations: (1) that each locality be allowed to develop an individual program for meeting the integration problem taking into consideration local conditions and attitudes, and (2) that a tuition program be initiated through the State government which would allow any child, who chose not to enter an integrated school, the right to enroll in a private, segregated school.³⁴ The Commission also recommended that a limited State constitutional referendum be held to modify Section 141 of the Constitution of Virginia. The Gray Commission recommended that the voters be asked to call a limited constitutional convention, which would create the necessary constitutional amendments to permit State funds to be paid to parents for private education. The Governor called a special session of the legislature on November 30, 1955. After a four-day session, the General Assembly set January 9, 1956 as the date for the referendum to modify Section 141 of the Constitution of Virginia. If adopted, the way would be cleared for the tuition plan.³⁵

There was not much discussion in Charlottesville about the referendum during the special legislative session.

³⁴Senate Document No. 1, Extra Session 1955, General Assembly of Virginia.

³⁵Benjamin Muse, Virginia's Massive Resistance (Bloomington: Indiana University Press, 1961), p. 16.

Few persons made the trip to Richmond to attend legislative hearings on the proposed referendum.³⁶ After the General Assembly approved the holding of the referendum, there was no great movement of would-be voters to the office of the City Registrar to register to vote in the referendum.³⁷

President Darden of the University of Virginia was somewhat dissatisfied with the report of the Gray Commission. His displeasure was the result of the Commission's writing no guarantee into the plans for the preservation of public schools.³⁸ The editor of The Daily Progress supported Darden's position. He wrote the following:

One thing further might be done and we are inclined to think it should be. That is to write into legislation providing for private education grants under the proposed amendment a provision denying them to any locality which fails to give reasonable minimum support to its public schools. That would go a long way toward assuring fulfillment of the goal of school opportunity for all, without enforced integration.³⁹

The members of Charlottesville City Council indicated that they would vote affirmatively on the question of a limited constitutional convention. All members said that they wished to preserve the public school system and were of

³⁶The Daily Progress, November 30, 1955, p. 1, col. 7.

³⁷The Daily Progress, December 6, 1955, p. 1, col. 1.

³⁸The Daily Progress, December 20, 1955, p. 1, col. 8.

³⁹Editorial, The Daily Progress, December 22, 1955, p. 4, col. 1.

the opinion this was the best way to do it under the circumstances. Councilman Thomas J. Michie, Sr. stated further that he ". . . would vote in the affirmative in the hope that it would help the people of the Southside area of the state by at least giving them time to devote more thought to the integration problem."⁴⁰ Superintendent of Charlottesville Public Schools, Fendall R. Ellis, said that he thought it would be inappropriate for him to comment on the referendum because the School Board had not taken a position in the matter.⁴¹

The referendum was approved by the voters of the State. The Charlottesville voters passed the referendum by a 2-to-1 majority; whereas, the referendum was approved by County voters by a 3-to-1 majority.

Shortly after the results of the referendum were known, E. J. Oglesby, arch-foe of school desegregation, announced that he would run in the election for the Charlottesville area seat in the Constitutional Convention. He was unopposed in his attempt for the seat and later was elected by a small turnout of voters in a special election.⁴²

On February 15, 1956, the Department of Health, Education, and Welfare (HEW) announced that it was opening a

⁴⁰The Daily Progress, January 6, 1956, p. 1, col. 2.

⁴¹Ibid.

⁴²The Daily Progress, February 21, 1956, p. 1, col. 7.

regional office in Charlottesville in a week. This announcement presaged the beginning of greater employment opportunities than had existed in Charlottesville. City and area residents were largely dependent upon the University of Virginia for employment. The opening of the HEW office meant not only more jobs in the community but greater needs for services, retail goods, foodstuffs, and homebuilding. Other industry was soon to move to Charlottesville to expand the economic prospects of the City.

The Charlottesville School Board was aware of the growth needs that future economic development demanded. The School Board heard a report on a preliminary study of elementary school building needs at the regular meeting on February 17, 1956. The crowded conditions in the elementary schools in the City were indicated in the report. The need for additional classroom space at the elementary level was cited. The School Board approved a school building program on March 8, 1956. The program included the construction of two white elementary schools and additions to the black elementary school.⁴³

An editorial in The Daily Progress on March 14, 1956, urged the City and County to pursue construction for public school needs. The concern of the editor was the need to

⁴³Charlottesville, Virginia School Board Minutes, March 8, 1956, pp. 3-4.

equalize facilities in the City and the County. Equalization provided hope that voluntary segregation, as promoted by the editor, would succeed. Blacks would be encouraged to seek enrollment in white schools if they saw the physical evidence of the inferiority of their separate schools.⁴⁴

On March 19, 1956, the Charlottesville City Council ordered a twenty-five-year plan for the growth of the City to be prepared. Looking forward to that inevitable growth, the Council authorized the School Board to begin plans to expand the facilities for the elementary school program in the City.⁴⁵ The next day the School Board asked the school administration to present a new study of school building needs to the School Board.

At the regular School Board meeting, held on April 12, 1956, the School Board received a letter from the attorneys representing the black parents who sought transfers for their children to certain white schools in the City. The attorneys requested to know what disposition the School Board planned to make of the petition black parents had filed on October 6, 1955 seeking transfers for their children

⁴⁴ Editorial, The Daily Progress, March 14, 1956, p. 4, col. 1.

⁴⁵ Charlottesville, Virginia City Council Minutes, March 19, 1956, Minute Book J, p. 166.

to white schools. The School Board directed the Superintendent to write the attorneys that no further action had been taken.⁴⁶

Suit was filed against the City School Board in United States District Court in Harrisonburg on May 6, 1956. The parents who had petitioned the School Board for transfers for their children to white schools sought an order from the court directing the School Board to transfer their children to the white schools as requested. Immediate official reaction was uncertain. The Chairman of the School Board said he was not able to speculate on what the School Board would do. Mayor Sol B. Weinberg said that the suit was a school matter and that the School Board was capable of deciding what to do about it.⁴⁷

In an editorial published on May 8, 1956, the editor of The Daily Progress offered the following advice:

Some would favor a similar answer for Charlottesville (closing public schools), but we think they are in a minority. Elementary schools with 95-100% segregation could be maintained by school districting, accompanied by provision for the transfer of those pupils whose parents desire them to attend school with children of their own race. No such solution is available for the high schools. The hope as to them must be that

⁴⁶Charlottesville, Virginia School Board Minutes, April 12, 1956, p. 2.

⁴⁷The Daily Progress, May 7, 1956, p. 1, col. 8. (Official records of this case were inaccessible at the time the study was made. Only the record of the appeal as cited on page 64 was available.)

separation can be maintained on a voluntary basis.
If it works, there will be no problem. . . .⁴⁸

Members of the School Board went to Richmond on May 9, 1956 to confer with Governor Stanley. The meeting was attended by Messrs. Goodman, Michael, Wallenborn, and Ellis. The purpose of the meeting apparently was to exchange information. No statement was made concerning the subject discussed.⁴⁹

The Jefferson School (Negro) PTA and the local branch of the NAACP sent representatives to the regular meeting of the School Board on May 10, 1956. No mention was made by the School Board of the suit filed by black parents. None of the blacks in attendance at the meeting requested to address the School Board.⁵⁰

The following week, on May 17, 1956, the Charlottesville School Board held a joint meeting with the City Council. The purpose of the meeting was to discuss the suit brought in federal court by black parents for transfers of their children to white schools. After a thorough discussion of the matter, the City Council directed the School Board to secure legal counsel to defend itself with the understanding

⁴⁸ Editorial, The Daily Progress, May 8, 1956, p. 4, col. 1.

⁴⁹ The Daily Progress, May 9, 1956, p. 1, col. 8.

⁵⁰ Charlottesville, Virginia School Board Minutes, May 10, 1956, p. 1.

that the office of the Attorney-General would offer financial and legal support in the defense of the case. On motion by Roscoe S. Adams, Sr.:

. . . the Board decided to retain the Honorable John Stewart Battle, Sr. of the firm of Perkins, Battle and Minor to serve as counsel and to request legal and financial assistance from the office of the Attorney General of the Commonwealth of Virginia in the lawsuit filed May 7, 1956 in the United States District Court in Harrisonburg.⁵¹

In the move to employ counsel, the School Board actually accomplished two objectives. First, the School Board gave public notice that it intended to contest the desegregation suit brought before the U. S. District Court. Secondly, the School Board added to the case the prestige of a respected former-Governor of Virginia when the services of John S. Battle, Sr. were secured. It appeared that the School Board hoped to demonstrate that it intended a respectable, vigorous, and potent defense of segregated public schools in Charlottesville.

Former-Governor Battle began work on the case and, on May 24, 1956, asked for a delay of the hearing. Judge John Paul of Harrisonburg, the federal judge in whose jurisdiction the case fell, granted a ten-day delay. He warned that this was the final extension that he intended to grant.⁵² Judge Paul later set the hearing for July 12, 1956.

⁵¹Charlottesville, Virginia School Board Minutes, May 17, 1956, p. 1.

⁵²The Daily Progress, May 25, 1956, p. 1, col. 1.

City Council resolved to ask the representatives of Charlottesville to petition for a special session of the General Assembly.⁵³ The City Council was of the opinion that the General Assembly needed to establish State policies to assist School Boards in Virginia with desegregation suits pending in federal courts.⁵⁴ State Senator McCue was of a different opinion. He supported the Byrd organization position and declared that the time was propitious for the test of States' Rights versus the federal courts!⁵⁵ In the meantime, Governor Stanley, on June 5, 1956, announced that he would call a special session of the General Assembly within a short time to consider the problem of desegregation in the public schools.

On June 7, 1956, former-Governor Battle filed the reply of the Charlottesville School Board to the suit pending in federal court. The major claim in the reply was that the court lacked jurisdiction in the case because the School Board was an agent of the State, and the State did not grant its permission to be sued in matters of this kind. It also was contended in the reply that the suit applied only to those who applied for transfer to white schools and were

⁵³Charlottesville, Virginia City Council Minutes, June 4, 1956, Minute Book J, p. 182.

⁵⁴The Daily Progress, June 5, 1956, p. 1, col. 4.

⁵⁵Ibid., col. 5.

refused. The contention of the plaintiffs that this was a class action suit for all black school pupils in Charlottesville was rebutted.⁵⁶

The question of segregation versus desegregation was injected into the City Council election held on June 12, 1956. Three Democratic candidates were nominated in the party primary for three seats on City Council. The primary election campaign among four candidates had aroused few issues. Two of the nominated candidates were running for re-election.

An independent, A. P. Hamilton, announced on March 26, 1956 he would run for City Council. His credentials appeared to be that he was a charter member of the Defenders of State Sovereignty and Individual Liberties in Charlottesville. He ran his campaign on an openly segregationist position, declaring that the public schools should never be subjected to desegregation. He attacked the candidates of the Democratic Party for being noncommittal on the subject of school desegregation.

The three Democrats answered the charges of the independent by pointing out their support of previous City Council actions with regard to public school desegregation suits. According to the Democrats, those actions were: (1) directing the School Board to secure legal counsel and conduct the best possible defense against the desegregation suits in

⁵⁶The Daily Progress, June 8, 1956, p. 1, col. 1.

federal court; and (2) requesting the local representatives in the General Assembly to petition for a special meeting of the General Assembly to consider the school desegregation problem. The three Democrats won easily, with votes of 1401, 1374, and 1377 respectively. The independent received 469 votes. The editor of The Daily Progress summarized the election as follows:

. . . Among the white population, at least, there is very little sentiment for it [desegregation] and much against it. Messrs. Coleman, Davis and Weinberg wouldn't have been elected if there had been any doubt about this determination to avoid it if possible--by means short of abandonment of public education.⁵⁷

The concern of the politicians of the State over the issue of desegregation focused around the issue of states' rights and federal authority over the states. Senator McCue prepared for presentation of a bill to the special session of the General Assembly of Virginia which would vest control of the local schools in the General Assembly. Apparently, McCue had no reservations about surrendering local control to State government, but did believe that surrendering that same authority to federal officials was wrong. In commenting on his position he said:

I'd rather surrender a little bit [of local control] to my friends in the state than have those across the Potomac invading the rights of Virginia.⁵⁸

⁵⁷Editorial, The Daily Progress, June 13, 1956, p. 4, col. 1.

⁵⁸The Daily Progress, June 21, 1956, p. 1, col. 1.

The desegregation suit against Charlottesville Public Schools was scheduled to be heard by Judge Paul on July 12, 1956. The Daily Progress held out the hope to the public that the NAACP attorneys would not press action for desegregation in the fall. The reasoning of the editor seemed to be that the lateness of the action did not allow enough time for planned desegregation to begin in September with the opening of schools.⁵⁹

The NAACP attorneys did not subscribe to that point of view. Judge Paul gave his opinion before a federal courtroom in the Charlottesville post office, crowded predominately with blacks. He ruled that the Charlottesville School Board must begin desegregation of the public schools in the City during the fall of 1956. Judge Paul made the following comments after he denied the motion of the School Board to dismiss the suit:

If the complaintants receive a favorable decree, it doesn't necessarily mean that all schools are open and everybody can rush in.

When the school board is presented with an application, it will have to evaluate it on whether the particular school being applied for is overcrowded. And it will have to consider the qualifications of the applicant to attend the school he is applying for.

There are many valid reasons why a Negro may be turned down, but he may not be turned down because he is a Negro.

The decree wouldn't say: "You can go to any school you want to."

⁵⁹The Daily Progress, July 11, 1956, p. 1, col. 5.

There is the question of residence. Many cities designate certain areas for particular schools and all pupils within that area go to the same school.⁶⁰

Though the School Board met immediately after Judge Paul handed down the decision, no public statements were made. No minutes were available which gave information about the meeting. School Board member Wallenborn questioned the appropriations of funds for the operation of schools. School Board member Michael stated that the School Board must be cautious in whatever it did.⁶¹ Mayor Weinberg, Chairman of the School Board Goodman, and Superintendent of Schools Ellis had lunch together to discuss the situation. The only comment made was by the Chairman of the School Board who stated that the School Board would have to discuss the matter with the attorney of the School Board.⁶²

Senator McCue said that there must be a call for a special session of the General Assembly. McCue saw an urgent need for the General Assembly to create new legislation which would "hold the line." Delegate Robert Whitehead of nearby Nelson County was critical of past actions from the State government. He said that, "the do-nothing policy of the Stanley Administration" bore the major responsibility for the school crisis in Charlottesville. He said of the General

⁶⁰The Daily Progress, July 12, 1956, p. 1, col. 8.

⁶¹The Daily Progress, July 13, 1956, p. 3, col. 1.

⁶²Ibid., p. 1, col. 6.

Assembly: "Instead of the General Assembly working on constructive legislation along this line at the regular 1956 session, its time was frittered away in consideration of 'interposition,' 'nullification,' and 'secession'."⁶³

Before taking action on a decree directing desegregation in Charlottesville Public Schools, Judge Paul heard testimony from the Superintendent of Schools and members of the School Board. Superintendent Ellis testified that in his opinion desegregation of the schools would pose certain hardships upon the schools. He stated further that it would most certainly be disruptive from an administrative point of view. School Board member Michael, who was also an attorney, said in response to the inquiry of Judge Paul that educating the public about integration was not a function of the School Board.⁶⁴ The Judge then directed the attorney for the plaintiffs to draw a decree which, in their opinion, answered the needs of the ruling of the Judge. The School Board attorney was instructed to cooperate in writing such a decree.

On the following evening, the Defenders of State Sovereignty and Individual Liberties met at the Albemarle County Court House. The organization planned a mass meeting to be held at Lane High School. The purpose of the meeting

⁶³Ibid.

⁶⁴Ibid., p. 1, col. 8.

was to protest desegregation of the public schools in Charlottesville and to solicit additional members for the organization. During the planning meeting the Defenders also gave their approval to the proposed bill of Senator McCue.⁶⁵

An editorial was published in The Daily Progress on July 14, 1956 which indicated the inevitability of the decision of Judge Paul. Even so, on July 16, 1956 the School Board gave notice that it planned to appeal the decision to the U. S. Fourth Circuit Court of Appeals. The School Board also indicated that it would request Judge Paul to stay his order during the time the appeal was pending before the Circuit Court.⁶⁶ The next day City Council urged both an appeal of the court decision and a promptly-convened special session of the General Assembly.

On July 23, 1956, the Defenders held a mass meeting at Lane High School. Oglesby was the newly-elected presiding officer of the organization. Twelve hundred persons attended the meeting. Those who attended overwhelmingly supported a proposal to ignore desegregation, court orders to the contrary.⁶⁷ Petitions opposing desegregation, which were circulated earlier in the week, gathered a total of 8,736 signatures by the evening of the Defenders' mass meeting.⁶⁸

⁶⁵The Daily Progress, July 14, 1956, p. 1, col. 5.

⁶⁶The Daily Progress, July 16, 1956, p. 1, col. 6.

⁶⁷The Daily Progress, July 24, 1956, p. 1, col. 6.

⁶⁸The Daily Progress, July 23, 1956, p. 1, col. 1.

Almost simultaneously, another group was organizing to work toward school desegregation. Mrs. Sarah Patton Boyle and Charles E. Moran, Jr. were leaders in the organization of a local chapter of the Virginia Council on Human Relations. The organizational meeting was attended by sixty-nine whites and two blacks.

It became clear that the NAACP and School Board attorneys could not agree on the language of a decree, and on August 3, 1956, Judge Paul announced that he would write his own decree on school desegregation. He said:

If the appeal isn't filed before public schools open September 4, the city school board would be in contempt of the court if it continued to separate pupils because of race.

I appreciate the difficulties facing the school board and school authorities in this city, as well as anywhere else. I certainly have no intention of trying to restrict them in any valid regulations that they may have in the assignments of pupils from one school to the other. But I do insist . . . that there must be no discrimination because of race or color.⁶⁹

Judge Paul, on August 6, 1956, ordered the Charlottesville School Board to begin desegregation of the public schools on the first day of the coming school year.

The School Board acted to enter an appeal. Michael moved that the School Board adopt the following resolution:

RESOLVED, That the School Board instruct its attorneys to perfect and prosecute an appeal from the recent decision of the United States District Court

⁶⁹The Daily Progress, August 4, 1956, p. 1, col. 1.

concerning the integration of the public schools of the City of Charlottesville.⁷⁰

The School Board prepared to make plans for desegregation in the event a stay of the court order was not granted. The following day, the School Board Chairman, Goodman, was quoted in the newspaper as follows: "We've got a few tentative plans we've been working on." He purposely did not elaborate beyond that and when asked if the public shouldn't be allowed to know something about those plans, he answered crisply: "No!"⁷¹

In the meantime, Charlottesville became the focus of attention of a segregationist organization headquartered in Washington, D. C. The organization called itself Seaboard White Citizens' Councils. Its chief spokesman was a young man from New Jersey by the name of F. John Kasper.

Kasper came to Charlottesville and was arrested by the City police department. He and three assistants were arrested for distributing literature after being denied permission to distribute literature by the Police Chief and the Mayor. When the matter came to court, the charges were dropped because the City Attorney thought the ordinance probably would fail the test of constitutionality.⁷²

⁷⁰Charlottesville, Virginia School Board Minutes, August 9, 1956, p. 1.

⁷¹The Daily Progress, August 10, 1956, p. 1, col. 2.

⁷²The Daily Progress, August 8, 1956, p. 3, col. 2.

Kasper criticized Oglesby for supporting the Mayor and Police Chief in this matter. Then the Seaboard group resumed activity in the Belmont section of the City. Kasper announced that the Seaboard White Citizens' Council planned to field candidates for City Council, replace all the present School Board members with segregationists, and lead a school strike if any of the City schools were desegregated. He threatened the peacefulness of the City with statements that the Seaboard White Citizens' Council would use "every means available, preferably legal" to prevent school desegregation. He warned also that the Seaboard White Citizens' Council did not propose to start violence, but would "meet violence firmly."⁷³

A reaction to Kasper's rhetoric developed rapidly. On August 13, 1956, an editorial was published in The Daily Progress which gave little reason to doubt the editor's position on the activities of the Seaboard White Citizens' Council. In the opinion of the editor, the withdrawal of the prosecution by the City allowed the Seaboard White Citizens' Council to distribute literature. The editor, however, was opposed to the methods promoted by Kasper.

The City Council considered a ban on public meetings which were thought inflammatory in nature. The issue was

⁷³The Daily Progress, August 11, 1956, p. 1, col. 2.

aimed at the Seaboard White Citizens' Council. The City Council gave up trying to design such an ordinance and, instead, adopted a resolution aimed at Kasper's activities. The resolution is quoted as follows:

. . . the Council of the City of Charlottesville is opposed to the activities of any individual or group of individuals which are designed to incite the emotions and prejudices of the citizens of Charlottesville on questions related to the issues of racial segregation or integration. . . .⁷⁴

Kasper was able to arrange for a public meeting to protest the desegregation of local schools. At first, he attempted to secure permission from the City government to use Belmont Park. The City government refused this request, but granted him permission to hold the meeting at the McIntire Park softball field.

Kasper confidently predicted that the membership in the Seaboard White Citizens' Council would grow by the thousands in the Charlottesville area within sixty days.⁷⁵ Later, the Seaboard White Citizens' Council was able to claim a membership of only a few hundred.

The White Citizens' Councils of America repudiated the Seaboard White Citizens' Council for irresponsible activities. According to The Daily Progress, the White Citizens' Councils of America urgently sought to notify the people of

⁷⁴Charlottesville, Virginia City Council Minutes, August 13, 1956, Minute Book J, p. 193.

⁷⁵The Daily Progress, August 17, 1956, p. 3, col. 6.

the Charlottesville area that the Seaboard group did not represent in any way the efforts or intentions of the White Citizens' Councils of America.⁷⁶

The Seaboard White Citizens' Council held a meeting on August 19, 1956 at McIntire Park. Fewer than one hundred local residents appeared at the meeting to hear four speakers urge a school strike if the public schools were desegregated.⁷⁷

In the meantime, the General Assembly was meeting in special session in Richmond. Concern began to mount in Charlottesville about the direction Governor Stanley seemed to be leading the legislature. On August 20, 1956, an editorial appeared in the local daily entitled: "Are We Marked For Sacrifice?" It was openly critical of the proposals being considered by the lawmakers. The following was stated in the editorial:

Thus our schools, and those of Arlington, Prince Edward, Norfolk, Newport News and perhaps others, would be sacrificed to the good of the rest of the state. Is this the best the Governor has to offer?⁷⁸

Two days later, on August 22, 1956, the editor addressed his column directly at the school closing legislation and flatly rejected it. The editor found himself, in large part, in

⁷⁶The Daily Progress, August 18, 1956, p. 3, col. 4.

⁷⁷The Daily Progress, August 20, 1956, p. 2, col. 6.

⁷⁸Editorial, The Daily Progress, August 20, 1956, p. 4, col. 1.

agreement with the position taken by the Charlottesville Human Relations Council (HRC) which criticized Governor Stanley and called for a local option plan to administer the problem of school desegregation.⁷⁹

During the special session of the General Assembly, Senator McCue had difficulty with his bill against school desegregation. Attorney-General J. Lindsay Almond, Jr., reported on August 21, 1956, that in his opinion, the McCue Bill would offer no defense against desegregation injunctions decreed in federal court.⁸⁰ On the basis of that kind of criticism, McCue attempted to rewrite the bill.

The Seaboard White Citizens' Council, which meant for the major part, F. John Kasper, was still active in Charlottesville on August 23, 1956. Rumors were circulated that there would be a school strike. Those parents who were in positions to know what was happening in each school area denied knowledge of any plans for a school strike. One parent, the wife of an elementary school PTA President, commented that there was ". . . general agreement privately [among parents] that it would be better to have no school than to have a degenerate one."⁸¹

⁷⁹The Daily Progress, August 15, 1956, p. 2, col. 5.

⁸⁰The Daily Progress, August 21, 1956, p. 1, col. 1.

⁸¹The Daily Progress, August 23, 1956, p. 3, col. 4.

Kasper appeared at a Human Relations Council meeting on August 23, 1956. After asking questions from the floor, he threatened to run the Human Relations Council out of town. While the meeting was in progress, a cross was burned outside the church building in which the meeting was held. After Kasper refused to leave when an executive session was called for members only, the meeting was adjourned. It was at that time that the burning cross was discovered.⁸²

On August 23, 1956, Judge Paul heard arguments for a stay of execution of his decision pending appeal by the School Board attorneys. The reason for the request for the stay was that, according to the School Board, to execute the order of Judge Paul would cause an unusual degree of confusion, and, perhaps in some instances, chaos.⁸³ Judge Paul, on August 26, granted the request of the School Board for a stay of execution of the order to desegregate the schools.

The General Assembly was called into special session by the Governor during the summer of 1956. The General Assembly debated legislation to close schools which were ordered desegregated. Such legislation was passed in the special session. In the meantime, Charlottesville was under federal court order to desegregate the public schools pending an appeal to the U. S. Fourth Circuit Court of Appeals. Former-

⁸²The Daily Progress, August 24, 1956, p. 3, col. 1.

⁸³Ibid., p. 1, col. 6.

Governor Battle, the attorney for the School Board commenting upon the dilemma the School Board found itself facing, said that the School Board "is really caught in a right bad spot."⁸⁴

Another cross-burning took place in Charlottesville on August 30, 1956. This time the target was Mrs. Boyle, long a spokesman for human rights and a recognized leader of the Human Relations Council. Mrs. Boyle felt that the defiant stance taken by the General Assembly only encouraged this kind of act.⁸⁵ The cross-burning, though aimed at the co-organizer of the Human Relations Council, could not be blamed directly upon F. John Kasper. Kasper was in jail in Clinton, Tennessee for inciting a riot and disturbing the peace.⁸⁶

The direction taken by the General Assembly was criticized by President Darden of the University of Virginia. He said that the General Assembly should return its attention to the Gray Commission Report. In so doing, he said it should attempt to write the Commission plan into law.⁸⁷

The General Assembly was not deterred from its efforts toward enacting laws to prohibit school desegregation. The

⁸⁴The Daily Progress, August 27, 1956, p. 1, col. 8.

⁸⁵The Daily Progress, August 31, 1956, p. 2, col. 1.

⁸⁶The Daily Progress, August 27, 1956, p. 1, col. 4.

⁸⁷The Daily Progress, September 1, 1956, p. 1, col. 8.

Defenders of State Sovereignty and Individual Liberties supported those efforts. The Defenders sent a delegation from Charlottesville to the special session of the General Assembly with 22,000 signatures on petitions opposing desegregation of the schools.⁸⁸ With this kind of pressure, it was no wonder that local legislators rejected requests of City Council to support legislative attempts to create a local pupil assignment plan.⁸⁹ Even though it was a fruitless effort, the City Council adopted a resolution opposing the Governor's plan for closing public schools in the event they were ordered desegregated.⁹⁰

The Seaboard White Citizens' Council attempted to remain active without its original leader, F. John Kasper. The Council held a rally at McIntire Park softball field on September 3, 1956. Asa Carter, a racial commentator from the "deep South," spoke to two hundred fifty persons at the gathering. On September 6, the third cross-burning was attempted on the front yard of Mrs. Morris Brown, an official of the Human Relations Council. She described the action as a "dud." The cross never fully ignited, but according to Mrs. Brown smoked and fell over from its own weight.⁹¹

⁸⁸Ibid., p. 4, col. 1.

⁸⁹The Daily Progress, September 5, 1956, p. 1, col. 1.

⁹⁰Charlottesville, Virginia City Council Minutes, September 4, 1956, Minute Book J, pp. 199, 200.

⁹¹The Daily Progress, September 7, 1956, p. 3, col. 3.

A few days afterward, the local White Citizens' Council met and elected officers. George A. Cason was elected President. Those present at the meeting were asked to call their elected City officials and let them know how they felt about things. Calls at three or four o'clock in the morning were encouraged.⁹² On September 11, 1956, an editorial appeared in the daily newspaper deploring the threatened harassment of City officials by the White Citizens' Council.⁹³

The Human Relations Council launched a series of discussions on the problem of racial desegregation of schools. Two hundred fifty persons attended the meeting on September 19, 1956. They heard Dr. Omer Carmichael, Superintendent of Schools in Louisville, Kentucky, discuss experiences of that city during school desegregation. The meeting was sponsored jointly by the Human Relations Council and Department of Sociology and Anthropology of the University of Virginia. It was held at the auditorium of the University School of Medicine.⁹⁴

Approximately one month later, under the same sponsorship, a school board member from Washington, D. C. spoke.

⁹²The Daily Progress, September 10, 1956, p. 2, col. 2.

⁹³Editorial, The Daily Progress, September 11, 1956, p. 4, col. 1.

⁹⁴The Daily Progress, September 20, 1956, p. 1, col. 2.

He presented the Washington plan for desegregation of public schools to an audience of approximately fifty persons which included a few members of the White Citizens' Council.⁹⁵ No incidents were recorded as a result of either meeting.

The School Board attorneys filed their legal brief with the U. S. Fourth Circuit Court of Appeals on October 16, 1956. The attorneys asked that the decision of the District Court be reversed.⁹⁶ The NAACP attorneys asked that the decision be upheld.

After due consideration, Judge John J. Parker decided that the School Board must comply with the ruling of the lower court and transfer the black pupils to white schools as directed by the court. Although the U. S. Fourth Circuit Court of Appeals ruled that the School Board must desegregate the schools, it did not place a deadline for compliance upon the School Board.⁹⁷

It was announced on January 3, 1957 that the School Board planned to appeal the decision of the U. S. Fourth Circuit Court directly to the United States Supreme Court.⁹⁸ The order was stayed pending the appeal of the decision.⁹⁹

⁹⁵The Daily Progress, October 18, 1956, p. 3, col. 4.

⁹⁶The Daily Progress, October 17, 1956, p. 1, col. 6.

⁹⁷School Board of the City of Charlottesville v. Allen, 240 F.2d 59 (1956).

⁹⁸The Daily Progress, January 3, 1957, p. 1, col. 2.

⁹⁹The Daily Progress, January 15, 1957, p. 1, col. 5.

At the regular meeting of the School Board on January 10, 1957, former-Governor Battle met with the Board. In executive session, he explained the ruling of the Fourth Circuit Court. He also explained how the new pupil-placement laws of Virginia would affect the School Board and the operation of Charlottesville schools.¹⁰⁰ No action on the matter was recorded in the minutes of the School Board.

The Human Relations Council continued efforts at informing the public. On January 17, 1957, the HRC again co-sponsored a community meeting. The program was a presentation by a dean from Virginia Union University (Negro). He spoke about the many problems of the black who had to live in a segregated society.¹⁰¹

On January 21, 1957, a meeting of one hundred twenty persons was held at the National Guard Armory to hear Kasper speak. He stated that the fight to maintain segregated schools was "tooth and nail" work. He wanted to spark enthusiasm for a grass-roots campaign to prevent desegregation of schools. The local leadership revealed at the meeting that the White Citizens' Council had between two hundred fifty and three hundred members.¹⁰²

¹⁰⁰Charlottesville, Virginia School Board Minutes, January 10, 1957, p. 1.

¹⁰¹The Daily Progress, January 18, 1957, p. 15, col. 2.

¹⁰²The Daily Progress, January 21, 1957, p. 13, col. 1.

It was announced on February 8, 1957 that the Charlottesville school desegregation appeal had gone to the Supreme Court.¹⁰³ On March 25, 1957, the Supreme Court refused to review the Charlottesville school case.¹⁰⁴ The general opinion was that the decision of the Supreme Court would have no immediate effect in Charlottesville. There was no doubt, however, that the federal court order to desegregate schools placed the School Board in a dilemma. If the School Board failed to follow the court order, it would be cited for contempt of court and its members fined, or sentenced to prison terms, or both. If the School Board followed the court order, the Governor was empowered to take charge of the schools and close them. The only legal provision which might take the pressure from the School Board was the so-called Pupil Placement Law.

The Pupil Placement Law was enacted by the General Assembly during the summer of 1957 in the special session. It was a part of the massive-resistance package. A State Pupil Placement Board which had the sole authority for assigning pupils to public schools in Virginia was created. The Charlottesville School Board announced procedures on March 14, 1957 for filing application blanks required by the

¹⁰³The Daily Progress, February 8, 1957, p. 1, col. 2.

¹⁰⁴Allen v. School Board of the City of Charlottesville, 353 U. S. 910, 775 S. Ct. 667 (1957).

Pupil Placement Board. The parents of each child were to acquire a placement form for each child from the child's school principal. After being completed by the child's parents, the forms were to be returned to the principal. The principal was to send the forms to the Superintendent who was to forward the forms to the Pupil Placement Board in Richmond for action.¹⁰⁵

On March 25, 1957, the U. S. District Court at Harrisonburg was issued a communication from the U. S. Fourth Circuit Court that the Supreme Court refused to hear the Charlottesville case. Judge Paul was instructed to proceed with his previous order, or await new action to be brought by the plaintiffs.¹⁰⁶

Anticipating difficulty, the Human Relations Council became adamant about the need for prompt and efficient police action against those who threatened the peace. Of particular concern were the past incidents of Klan-like cross-burnings. The Human Relations Council had not been inclined to take the cross-burnings seriously in the past. The HRC changed its position, because the cross-burnings seemed to carry with them certain implications of daring and challenge to

¹⁰⁵Charlottesville, Virginia School Board Minutes, March 14, 1957, p. 3.

¹⁰⁶The Daily Progress, March 29, 1957, p. 1, col. 5.

the law by those opposed to school desegregation. David C. Wilson, President of the local group, said:

. . . in every case where violence has broken out as a result of desegregation, if prompt decision action was taken by law enforcement agencies and firmness was displayed by city officials, order was quickly reestablished and desegregation progressed smoothly.

It is only when officials take the position that violence is to be expected that hoodlums take advantage of their indecisiveness and resistance to the law of the land becomes large scale. A few prompt arrests have ended trouble in all cases.¹⁰⁷

The Supreme Court action seemed to clear the way for a School Board decision. The Governor advised the City to use every means available to avoid desegregation.¹⁰⁸ The School Board placed its faith in the Pupil Placement Board and decided to wait and see what would happen.

The strategy of the General Assembly was not lost upon the NAACP attorneys. The attorneys asked the U. S. Fourth Circuit Court of Appeals on May 30, 1957 to uphold a ruling from the District Court of Eastern Virginia in which that Court ruled the State's Pupil Placement law to be unconstitutional.¹⁰⁹ The Circuit Court upheld the ruling of the District Court on July 13, 1957.¹¹⁰

¹⁰⁷The Daily Progress, April 26, 1957, p. 15, col. 7.

¹⁰⁸The Daily Progress, May 9, 1957, p. 1, col. 7.

¹⁰⁹The Daily Progress, May 30, 1957, p. 1, col. 6.

¹¹⁰School Board of the City of Newport News, Virginia v. Atkins, 246 F. 2d 325 (1957).

On July 19, 1957, the Charlottesville branch of the NAACP announced that it would attempt to obtain a ruling for immediate desegregation of schools. Judge Paul scheduled the plea to be heard the following week.¹¹¹ The NAACP pleaded to the court on July 25 for an end to segregation in the schools. Judge Paul suspended his desegregation decree again, this time to await a final ruling on the Pupil Placement Law appeal to the Supreme Court.¹¹² It appeared that Charlottesville might once again escape having to comply with the court order and escape opening its schools on a racially desegregated basis. City officials expressed their general pleasure with the ruling. The NAACP attorneys were not so pleased. They said: "We will never be satisfied until public schools are completely desegregated."¹¹³ A small consolation came toward the end of the month when Judge Paul ruled that the plaintiffs did not have to fill out pupil placement applications.

In the meantime, blacks were harassed by a special legislative commission set up by the General Assembly to investigate NAACP activities. Earlier the Committee On Offenses Against the Administration of Justice subpoenaed many of the adult plaintiffs in the Charlottesville school

¹¹¹The Daily Progress, July 19, 1957, p. 1, col. 8.

¹¹²The Daily Progress, July 26, 1957, p. 1, col. 7.

¹¹³The Daily Progress, July 27, 1957, p. 9, col. 3.

case. The purpose was to determine whether or not they had entered into the proceedings with full knowledge of the consequences, that is, that a suit against the Charlottesville School Board was the likely outcome. The efforts of the Committee were designed to prove that the NAACP was the major influence that moved the plaintiffs to take the action. With few exceptions, all the plaintiffs questioned by the Committee said they knew exactly what they were doing when they attempted to transfer their children to white schools.¹¹⁴

President Darden said on June 12, 1957 that Virginia had little choice but to abandon the massive resistance laws passed by the General Assembly. He appealed to the leaders of the State to recommend a return to the Gray Commission plan. Darden thought that the majority in Charlottesville probably favored some limited desegregation of the public schools as opposed to the closing of school facilities if desegregation were ordered.¹¹⁵ City Council members reflected upon Darden's thoughts on massive resistance and the Gray Commission plan. Three members indicated that they favored a public referendum on the question of closing school or accepting some limited numbers of black pupils in the white public schools. One member said that he hadn't formed an opinion on the proposition. The last member said he was

¹¹⁴The Daily Progress, May 15, 1957, p. 1, col. 1.

¹¹⁵The Daily Progress, June 12, 1957, p. 1, col. 3.

unalterably opposed to desegregation of the public schools and was opposed to the referendum idea. Councilman Scribner commented that, ". . . a large percentage of people would favor setting up private schools." He added that not very much had been done to prepare Charlottesville for private schools.¹¹⁶

Governor Stanley did not agree with the position of Darden. The Governor stated that the President of the University of Virginia had said nothing new about the public school problem.¹¹⁷ The Governor continued in full support of the massive-resistance plan. Senator Byrd called upon all the Southern states to design programs of massive resistance to stave off the controls of federal power in the struggle for states' rights. It seemed unlikely that the State Democratic organization, of which Governor Stanley was a part, could do other than support the State political leader, Senator Byrd, on a position that the Senator helped build at the national level. The Gray plan was rejected by the Governor and was denounced by State Senator Gray. Some small amounts of desegregation would have resulted from the Gray plan. This was, of course, in direct opposition to the declared position of the State Democratic organization. It

¹¹⁶The Daily Progress, June 17, 1957, p. 1, col. 5.

¹¹⁷The Daily Progress, June 13, 1957, p. 1, col. 1.

could not, therefore, be resurrected until massive resistance spent itself in the courts.¹¹⁸

The primary election for the Charlottesville Delegate to the General Assembly was contested during the early summer months of 1957. William R. Hill, owner of a funeral home, resigned his position as City Councilman early in the year to run for the House of Delegates. He took this step when the Delegate holding the seat announced that he was not standing for reelection. James F. Dulaney, oil distributor and general businessman, entered the Democratic primary race to oppose Hill.

It generally was conceded that Hill was in favor of segregation in the public schools short of closing the schools. Dulaney, some thought, was a supporter of massive resistance. He came into the race with the support of Senator McCue. Dulaney belatedly announced that he, like Hill, was opposed to the closing of the schools. It became apparent that little separated the two candidates so far as public positions were concerned. The major issue developed that Hill was supported by City Council and Dulaney was supported by Senator McCue. Hill proved victorious by a sixty-seven-vote majority of 4,495 votes cast on July 9, 1957.¹¹⁹

¹¹⁸The Daily Progress, June 12, 1957, p. 1, col. 3.

¹¹⁹The Daily Progress, July 10, 1957, p. 1, col. 1.

Later in the month of July, the voters of Charlottesville demonstrated their support and continued belief in the necessity for public schools. A school bond referendum for \$1,200,000 was held. The votes cast were nearly 3-to-1 in favor of issuing the school bonds. The School Board continued planning for additional space. It recommended a building program for two new elementary schools for white pupils and a major addition to the black elementary school. With the support of the daily newspaper editor and the notion of voluntary segregation, the public was convinced of the need to relieve overcrowded conditions in all elementary schools.¹²⁰

The Pupil Placement Board met in Richmond on August 5, 1957. The major concern of the Pupil Placement Board was its continued operational effectiveness. This concern was the result of the ruling of Judge Paul that the black plaintiffs in the Charlottesville desegregation case did not have to fill out the pupil-placement applications. The members of the State Board apparently thought that the Pupil Placement Board was still a properly constituted State agency. The members decided to continue in office, to operate as before, and to encourage all local school boards to continue to forward pupil-placement applications to Richmond.

¹²⁰The Daily Progress, July 17, 1957, p. 1, col. 4.

The local Defenders held a pre-school rally at Lane High School on August 26, 1957. John Bell Williams, Congressman from Mississippi, spoke before an audience of one thousand. He presented a speech about Virginia's role in leading the fight for continued racial segregation in the South. The consequences of massive resistance to Virginia's schools were not amplified by the Congressman.¹²¹

Public schools opened during the fall of 1957 much as they had in previous years. This came as a result of the ruling of Judge Paul to await the appeal on the pupil-placement laws before ordering compliance with his desegregation order.

The Defenders demonstrated its political muscle once again on October 9, 1957. It held a dinner in honor of Congressman Howard W. Smith of the Eighth Congressional District, of which Charlottesville was a part. Judge Smith, as a member of the U. S. House of Representatives, was Chairman of the powerful House Rules Committee. That Committee determined the flow and order of legislation that appeared on the floor of the House of Representatives for consideration. Judge Smith warned the Defenders in Charlottesville that the United States appeared to be drifting toward a dictatorship. He reenforced the Byrd organization's position on states' rights and called for stiff resistance to

¹²¹The Daily Progress, August 27, 1957, p. 1, col. 1.

the orders of the Supreme Court and federal power exercised over the states from Washington.¹²²

In the meantime, a series of interviews of City Councilmen was presented in the local daily newspaper. It appeared that some members of City Council were in agreement with the efforts of the Byrd organization and the majority of the General Assembly. Former-Mayor Weinberg announced that he favored obeying the State law (on the closing of schools to prevent their desegregation).¹²³ On the following day, Councilman Coleman said that he absolutely was opposed to integration and was in favor of closing the schools.¹²⁴ Senator Byrd added his political weight to the question by saying that massive resistance was still the official policy to be followed in the State.¹²⁵ There was to be no weakening within the political ranks on the question of school desegregation.

Political policy was stated clearly. It was not surprising that the School Board said little when the news arrived that the Supreme Court refused to hear the appeals of the cases which involved overturning the pupil-placement

¹²²The Daily Progress, October 10, 1957, p. 1, col. 1.

¹²³The Daily Progress, October 9, 1957, p. 22, col. 4.

¹²⁴The Daily Progress, October 11, 1957, p. 16, col. 1.

¹²⁵The Daily Progress, October 12, 1957, p. 1, col. 7.

laws. Former-Governor Battle said that he thought the intention of Judge Paul was for the schools to be desegregated in February. Because the public schools were operated on an annual basis, the thought was expressed that the order might be made effective in September, 1958. Judge Paul made no immediate comment on the school situation.¹²⁶

An executive session was held after a regular School Board meeting on November 14, 1957. Former-Governor Battle, attorney for the School Board, reviewed the desegregation case with the School Board. He then advised the School Board that he thought it was proper for him to withdraw from the case because he had accepted the appointment by President Dwight D. Eisenhower to the newly-formed U. S. Civil Rights Commission.¹²⁷ On the following day, Roscoe S. Adams, Sr., member of the School Board, was asked what the position of the School Board was in regard to the school desegregation suit. He replied that the School Board ". . . is just where we were before--behind the eight-ball!"¹²⁸

Virginia elected a new Governor on November 3, 1957. He was no stranger to State politics, nor to the issue of school desegregation. As Attorney-General, J. Lindsay Almond,

¹²⁶The Daily Progress, October 22, 1957, p. 1, col. 4.

¹²⁷Charlottesville, Virginia School Board Minutes, November 14, 1957, pp. 3-4.

¹²⁸The Daily Progress, November 15, 1957, p. 1, col. 7.

Jr. had defended Virginia before the Supreme Court in the original school desegregation suits. He later assisted with the defense of the Charlottesville case before Judge Paul and advised other localities with their cases. Almond was viewed with some reservations by the Byrd Organization. He convinced the Organization that he was the best candidate for the Democratic Party, and finally received its blessings.

Almond conducted a vigorous campaign during the summer and fall against his Republican opponent, State Senator Ted Dalton. The Democratic candidate campaigned hard on the issue of school segregation and the maintenance of the State massive-resistance laws. Dalton was critical of the massive-resistance program and favored a local pupil assignment program administered by each locality.

The program supported by Almond appealed to the emotions of the majority of voters, and he was elected. In Charlottesville, Almond received a substantial victory. His victory, however, suggested that voters in the City were divided along social and racial lines. He failed to carry the ward where the voters were predominantly black. Two wards gave close votes (100-vote majorities) in favor of Almond. The last ward cast its vote heavily in favor of the Democrat and carried the City for the Democrats. This ward reflected the attitudes of most of the white working people in the City.

As Governor, Almond offered little that was new. He was elected by the voters in the hope that he would keep the public schools of Virginia racially segregated. This was his charge upon entering office.

In his inaugural address, Governor Almond pledged his firm support to the State policy of school segregation. He promised to plot a firm course against public school desegregation.¹²⁹ A few days later he gave his complete support to the withholding of State funds from local schools that were under orders to desegregate.¹³⁰

The Human Relations Council remained active in Charlottesville. It continued to present speakers who brought the point of view of human equality. Professor Thomas T. Hammond, a specialist in Russian history, told the group during October that segregation of the races in the United States hurt the country's image abroad. According to Hammond, this was true especially among countries which were populated predominately by non-white peoples.¹³¹ During January, a psychologist told the group of the harm that segregation caused in the intellectual and social development of black children.¹³² During its meeting of March 13, 1958, the

¹²⁹The Daily Progress, January 11, 1958, p. 1, col. 7.

¹³⁰The Daily Progress, January 14, 1958, p. 1, col. 4.

¹³¹The Daily Progress, October 24, 1957, p. 19, col. 1.

¹³²The Daily Progress, January 17, 1958, p. 13, col. 1.

Human Relations Council asked the Mayor of Charlottesville to form an interracial affairs advisory committee to provide peaceful solutions to racial problems in the City.¹³³

A campaign developed for two City Council seats in the Democratic primary during early 1958. Councilmen Scribner and Michie agreed to stand for reelection. The two councilmen were challenged for one of the seats by a real estate broker, Robert R. Ready. The paramount issue in the campaign was segregation in the public schools.

Divergent views were expressed among the candidates. Ready was opposed to desegregation, to the extent that he favored the closing of the public schools. Michie said that he favored the Gray plan and considered suing the State if the City schools were closed under the threat of desegregation. Scribner was somewhat less clear in his position, although he said he preferred the continued maintenance of public schools.¹³⁴

The voters expressed themselves in the election held on April 1, 1958. In what had been called a dull council race, a total of 1732 votes were cast. Michie received 1140 votes, Scribner received 1139 votes and Ready received 632 votes. It appeared that most of those voters who favored continued segregation cast only one vote of a possible two votes they might have cast. They voted for the candidate

¹³³The Daily Progress, March 14, 1958, p. 13, col. 1.

¹³⁴The Daily Progress, March 21, 1958, p. 12, col. 1.

who spoke for the closing of schools to prevent desegregation. The election returned to office the two incumbents who stood by the public schools.

The PTA was stirring in the spring of 1958 at the regional level in Virginia. The Piedmont Regional PTA voted 12-to-2 with 20 delegates abstaining, to support a segregation resolution. The resolution had been adopted earlier in another region in Virginia. That region attempted to get support from other regions for its resolution.¹³⁵

The Albemarle County School Board agreed to resume plans for a building program. Much public criticism of the black elementary school facility for the Magisterial District of Charlottesville was leveled at the County School Board. The County School Board finally agreed to build a new black elementary school inside Charlottesville City limits. In regard to the new school Oglesby said that ". . . the county will not build schools for integrated purposes. Negroes know whites will not operate integrated schools."¹³⁶

On May 10, 1958, the attorneys representing both plaintiffs and defendant met with Judge Paul in Harrisonburg. The Judge told the attorney for the School Board that the City must transfer black pupils to the white schools during the fall.¹³⁷

¹³⁵The Daily Progress, April 11, 1958, p. 13, col. 6.

¹³⁶The Daily Progress, May 9, 1958, p. 15, col. 8.

¹³⁷The Daily Progress, May 12, 1958, p. 1, col. 8.

Within two weeks the Charlottesville School Board was sent the applications for twenty-six additional black pupils who wished to transfer to white schools.¹³⁸ The hopes of the editor of the local daily newspaper for voluntary segregation were dashed.¹³⁹ Black children and parents apparently were intent upon transferring to those white schools to which they felt they had the right to transfer.

Oglesby announced that it seemed to him that it was time for the people of Charlottesville to organize private schools. He pointed out that a State group, founded by the Defenders, the Coordinating Committee to Maintain Efficient Education in Virginia, was available to assist any private groups which might like to discuss the formation of private schools.¹⁴⁰ Governor Almond added his weight to that prospect when he suggested that private citizens were well advised to begin plans for private schools.¹⁴¹

Seeing the dilemma headed their way, some members of the Venable Elementary School PTA conducted an opinion poll of the membership. Venable Elementary School was one of the desegregation target schools in Charlottesville. On June 12, 1958, the results of the opinion poll were announced. Of

¹³⁸The Daily Progress, May 22, 1958, p. 1, col. 7.

¹³⁹Editorial, The Daily Progress, May 13, 1958, p. 4, col. 1.

¹⁴⁰The Daily Progress, May 23, 1958, p. 3, col. 5.

¹⁴¹The Daily Progress, June 3, 1958, p. 1, col. 6.

three hundred five replies, one hundred seventy-seven reportedly responded that they would accept some measure of integration rather than close Venable School. One hundred twenty-eight said they would prefer to close the schools.¹⁴²

Dissatisfaction was expressed with the poll conducted by members of the Venable School PTA. Oglesby challenged the poll because he said it offered no place for opinions to be expressed for or against private schools. A small group of Venable parents, also dissatisfied with the poll, announced on June 25, 1958 that they would conduct a poll of their own.¹⁴³ The questionnaire for the second poll was mailed on June 27 to all parents of children who attended Venable School.

The Venable School PTA answered the charges against the PTA poll. In reply, the organization said that those choices which were legally available at that time were offered.¹⁴⁴

The results of the second poll were announced on July 12, 1958. Two hundred sixteen ballots were returned, less than had been returned in answer to the PTA poll. One hundred seventy-seven responded that they were opposed to

¹⁴²The Daily Progress, June 12, 1958, p. 1, col. 6.

¹⁴³The Daily Progress, June 25, 1958, p. 3, col. 1.

¹⁴⁴The Daily Progress, July 1, 1958, p. 17, col. 6.

desegregation in the public schools and intended to send their children to private, tuition-grant schools if such facilities were available. Those who said they preferred desegregated public schools numbered twenty-two. They said they were sending their children to the public schools in the event they were desegregated. Eight ballots were returned indicating opposition to desegregation, but they gave no preference for school attendance. The remaining ballots were ruled ineligible because the parents indicated they moved from the school district, or no choices were marked on the ballots.¹⁴⁵

The results of the second poll were turned over to a group which called itself the Charlottesville Education Foundation. The Charlottesville Education Foundation, commonly referred to as the CEF, was composed of parents from the City and members of the Defenders of State Sovereignty and Individual Liberties.¹⁴⁶ The patrons of Venable School who sponsored the second poll were organizers and charter members of the CEF. The intention of the CEF was to request a charter similar to those proposed for groups which were seeking charters to operate private schools in other areas of the State which were immediately threatened with school desegregation. The CEF announced its intention of calling upon the

¹⁴⁵The Daily Progress, July 12, 1958, p. 1, col. 8.

¹⁴⁶The Daily Progress, July 2, 1958, p. 15, col. 5.

Coordinating Committee to Maintain Efficient Education in Virginia for assistance in drawing up the proposed charter to present to the State Corporation Commission.¹⁴⁷

Preparations for the closing of Venable Elementary School and Lane High School finally were put into motion. Such action was encouraged from the highest official source in the State. Governor Almond spoke for the need to begin plans for private schools. He said later that he expected to close some public schools in September as a result of court-ordered desegregation. In a television interview over a Roanoke television station, the President of the Charlottesville branch of the NAACP said that he expected the schools to be closed. He said that he thought that the federal courts would reopen the public schools very soon after they were closed.¹⁴⁸

The School Board held a special meeting to hear the City Attorney, John S. Battle, Jr., on July 8, 1958. He was now the attorney for the School Board in the case of Allen v. School Board of the City of Charlottesville. Battle reviewed the results of the hearing held before Judge Paul on May 12, 1958. According to the minutes of the meeting, he reported as follows:

¹⁴⁷Ibid.

¹⁴⁸The Daily Progress, July 14, 1958, p. 1, col. 5.

. . . He stated that Judge Paul had made it clear that any Negro desiring to transfer from one school to another in the city system or to enter for the first time a particular school, should make his wishes known by filing a written application with the local school authorities and that all such applications should be acted upon by this board within a reasonable time, on a racially non-discriminatory basis.¹⁴⁹

The School Board adopted a resolution establishing a pupil assignment plan.¹⁵⁰ The plan was designed in three parts. The first part of it established elementary school attendance areas for all the City elementary schools, including Jefferson Elementary School (Black). The area lines for Jefferson School were drawn in such a way that the great majority of black children resided in that district. Those pupils who resided in any school district in which they were in the racial minority could transfer to any elementary school of their choice in which they would be members of the racial majority. No white pupil was forced to attend the Jefferson Elementary School if he chose not to attend. No black pupil was forced to attend any white school if he chose not to attend.

The second part of the plan was the administration of an achievement test to any black pupil who desired transfer to a white school. Coupled with a statement by Superintendent Ellis that achievement of blacks was below that of whites,

¹⁴⁹Charlottesville, Virginia School Board Minutes, July 8, 1958, p. 1.

¹⁵⁰Ibid.

the conclusion of most people was that such tests would eliminate many black pupils from transferring to white schools.¹⁵¹

The third part of the plan required each applicant for transfer to be interviewed. The interview was used as a further screening device. Social attitudes and adjustment were prime factors to be considered in the interview. Those black pupils with hostile attitudes or indifference were considered to be unacceptable for transfers.

The City Council appointed a new member to the School Board. According to The Daily Progress, the League of Women Voters urged the City Council to appoint a person who brought the same kind of "forward-looking approach" that the School Board had maintained over the past years.¹⁵² Dr. Richard A. Meade, Professor of Education at the University of Virginia and textbook author, was appointed to a term on the School Board.

Leon Dure, a resident of Keswick and former newspaperman, proposed a school attendance plan that came to be called freedom-of-choice. His plan was built upon the continued operation of the public schools, but he proposed that the State establish a system of tuition grants for those children who chose not to attend public, desegregated schools. The children who chose to use the tuition-grant program could

¹⁵¹The Daily Progress, July 9, 1958, p. 1, col. 8.

¹⁵²The Daily Progress, July 2, 1958, p. 4, col. 3.

then enroll in private schools in their communities set up for that purpose. A further extension of Dure's original plan was for local governments to sell surplus property, especially school buildings. The property was to be sold to private groups who then would operate the schools for tuition-grant pupils. Dure envisioned a private segregated system operated with public funds. As Dure envisioned it, the problem was to convince the politicians that it was a better choice than the alternative presented to the public under massive resistance.¹⁵³ A large obstacle for Dure's plan was that it would permit a degree of desegregation in the public schools for those white pupils who chose to remain in the public schools.

In preparation for the long-awaited event of desegregated schools and better community understanding, the Charlottesville branch of the NAACP conducted a week-long interracial workshop for school-aged children and parents. A few white parents enrolled their children in the workshop held in a black church building. Of three hundred enrolled, no more than ten were white children.¹⁵⁴

Senator McCue announced on July 10, 1958 that the time had come to close the public schools. He was staunchly

¹⁵³The Daily Progress, June 24, 1958, p. 4, cols. 2-3.

¹⁵⁴The Daily Progress, June 27, 1958, p. 15, col. 1.

against desegregation in the public schools and wanted them closed rather than desegregated. He said he favored awarding tuition grants to parents if the schools were closed. On July 12, he amplified his position in support of private schools. He said that private schools could be operated at no additional cost and that teachers, money, and space would be no problem at all.¹⁵⁵ His contention was that public school teachers could be recruited to teach in the private schools, that the State politicians could persuade the General Assembly to provide tuition grants, and that church facilities in the community could be pressed into duty during the week to provide classroom space.

Apparently Senator McCue did not submit his proposal to anyone prior to his public announcement. It was reported on July 16 that the Charlottesville and Albemarle Ministerial Association opposed the use of the churches as private school classrooms as proposed by Senator McCue.¹⁵⁶ President Darden said that the policy-makers of Virginia made a strategic error in adopting the massive-resistance policies. He said that Virginians were going to discover that private schools were very costly, in comparison with public education. He was most concerned about the consequences of massive resistance, private schools, and the possible withdrawal of educa-

¹⁵⁵The Daily Progress, July 12, 1958, p. 1, col. 4.

¹⁵⁶The Daily Progress, July 16, 1958, p. 15, col. 4.

tional opportunities for blacks. In his opinion such a move as withholding education from blacks would be catastrophic.¹⁵⁷

It was announced on July 15, 1958 that the City school staff would begin to study blacks who had applied for transfer to white schools. There were thirty-one applications from blacks who wished to transfer to white schools. Eleven requested to be transferred to Lane High School. Six requested to be transferred to McGuffey Elementary School, one requested to be transferred to Johnson Elementary School, and thirteen requested to be transferred to Venable Elementary School. Of the twenty black pupils who requested transfers to the white elementary schools, fifteen were found to live in the Jefferson School District.¹⁵⁸

The Daily Progress editor, Chester R. Babcock, wrote an editorial which was published on July 19, 1958. He criticized the "integration opponents as quixotic." He described them as leading a losing battle against federal authority. He further stated that the war against federal authority was being waged at the expense of public education and that neither education nor segregation were going to be maintained under existent circumstances.¹⁵⁹

¹⁵⁷The Daily Progress, July 15, 1958, p. 11, col. 1.

¹⁵⁸The Daily Progress, July 15, 1958, p. 11, col. 6.

¹⁵⁹Editorial, The Daily Progress, July 19, 1958, p. 4, col. 1.

The Human Relations Council passed a resolution to the City Council on July 18, 1958. It was urged in the resolution that the City Council take a strong position in opposition to violence over the issue of school desegregation.¹⁶⁰ The City Council declined to take action on the resolution presented to it. The Mayor expressed his opinion that Charlottesville had a good police department and could handle the situation.¹⁶¹

Certain developments brought the Charlottesville case back to the immediate attention of Judge Paul. The School Board began to implement the placement plan. Part of the plan required that black pupils take achievement tests. On the advice of NAACP attorneys, the black pupils failed to appear to take the tests.¹⁶² The NAACP attorneys suggested to the School Board attorney that they should meet in the chambers of Judge Paul to discuss the placement plan. Battle indicated that he wanted no part in changing the placement plan of the School Board behind the closed doors of the Judge's chambers. He said that he much preferred to have a court test of the assignment plan of the School Board.¹⁶³

¹⁶⁰The Daily Progress, July 19, 1958, p. 9, col. 6.

¹⁶¹The Daily Progress, July 22, 1958, p. 1, col. 2.

¹⁶²Ibid., col. 6.

¹⁶³The Daily Progress, July 23, 1956, p. 1, col. 8.

Shortly afterward, the attorneys for the plaintiffs responded to Battle's challenge. They appealed to Judge Paul to overturn the placement plan of the School Board.¹⁶⁴ On the following day, those black pupils who were scheduled to have interviews with School Board staff did not appear for their interviews.¹⁶⁵

On August 8, 1958, Battle asked for dismissal of the motion of the plaintiffs challenging the placement plan of the School Board. A few days later Judge Paul upheld the placement plan of the School Board. He thought that the School Board should be given an opportunity to demonstrate its intentions. He warned, however, that he might make the pupil assignments of black plaintiffs himself. He indicated that he was suspicious of the elementary school districts and though they appeared to have been gerrymandered. He said: "I would be very much inclined to disregard the boundaries of this new school district."¹⁶⁶

During the fall of 1958, the closing of public schools in Charlottesville appeared to be more than a possibility. It appeared to be likely. Appeals in the courts could no longer be used to cushion the clash between the federal

¹⁶⁴The Daily Progress, July 28, 1958, p. 1, col. 1.

¹⁶⁵The Daily Progress, July 29, 1958, p. 11, col. 7.

¹⁶⁶The Daily Progress, August 11, 1958, p. 1, col. 7.

judiciary and Virginia State law. That avenue was exhausted with the refusal of the Supreme Court to hear further appeals of the cases in Virginia. Delegate Hill announced that he favored a local option plan. He said that massive resistance was no longer useful in preventing desegregation in the public schools.¹⁶⁷ A reply to Hill was very quick. Within two days, Governor Almond criticized Hill for his comments. Almond had decided that enrollment of black pupils was sufficient cause for him to close the schools under State law.¹⁶⁸ On July 26, 1958, Babcock, in an editorial, wrote that there was a critical need to resolve the conflict between State and federal authority. He was of the opinion that it was the only way to keep Charlottesville schools open in September.¹⁶⁹

The members of the Charlottesville Education Foundation (CEF) were organizing for the pending shutdown of schools. William M. Pope was elected President of the CEF.¹⁷⁰ The CEF canvassed public school teachers to determine their availability to teach in private schools. Almost immediately, the CEF discovered that it was negotiating not only with

¹⁶⁷The Daily Progress, July 23, 1958, p. 15, col. 6.

¹⁶⁸The Daily Progress, July 25, 1958, p. 11, col. 1.

¹⁶⁹Editorial, The Daily Progress, July 26, 1958, p. 4, col. 1.

¹⁷⁰The Daily Progress, August 5, 1958, p. 11, col. 5.

individual teachers, but with a group with vested interests. The teachers wanted information about the effect of the CEF on their relations with the City School Board. The teachers were much concerned about their retirement benefits and other fringe benefits they received from the State through the School Board.¹⁷¹ The impact of the teachers' inquiry was that the CEF exerted pressure for tuition grants for parents, continued retirement benefits for teachers, and cooperation with the City School Superintendent.¹⁷²

The achievement tests for black pupils were rescheduled in accordance with the orders of Judge Paul. Nine high school applicants took the achievement tests at Burley High School (Black) on August 18, 1958. Four of those scheduled to take the test did not appear. The next day sixteen elementary applicants took the achievement tests at Jefferson Elementary School. Three children did not appear to take the tests.¹⁷³

A small number of white citizens of Charlottesville entered a suit in the corporation court of the City against the placement plan of the School Board. The intention was to halt the operation of the placement plan which was considered by the plaintiffs to be against State law. According to

¹⁷¹Ibid.

¹⁷²The Daily Progress, August 8, 1958, p. 13, col. 7.

¹⁷³The Daily Progress, August 19, 1958, p. 1, col. 8.

a report in the daily newspaper, on August 28, City Judge George M. Coles set aside the placement plan of the School Board and forbade its use.¹⁷⁴ This ruling later was reversed by Judge Paul.

On August 26, 1958, Judge Paul considered the validity of the Charlottesville School Board plan. Fendall R. Ellis, Superintendent of Schools, defended the assignment plan. He told Judge Paul that the plan was drawn and operated without consideration for the race or color of school pupils. Judge Paul had reservations about the new Jefferson Elementary School District, but the next day, he gave his approval to the entire plan.¹⁷⁵

The School Board held a special meeting on August 28, 1958. The purpose of the meeting was to reconsider the opening date of schools which had been set for the day after Labor Day. The School Board approved the following resolution offered by Wallenborn:

Resolved, That due to the unsettled status of the litigation involving the public schools of Charlottesville, the opening of Lane, Venable, Johnson, McGuffey, Jefferson, Clark, and Burnley-Moran schools is postponed until September 15, 1958.¹⁷⁶

Without a great amount of fanfare, another group of Venable School parents organized an emergency school program

¹⁷⁴The Daily Progress, August 28, 1958, p. 1, col. 1.

¹⁷⁵The Daily Progress, August 27, 1958, p. 1, col. 6.

¹⁷⁶Charlottesville, Virginia School Board Minutes, August 28, 1958, p. 1.

in the event that the school was closed by State law. The group apparently was organized around a core of ten mothers of Venable School pupils who began making plans in July. The ten mothers announced on August 22, 1958 that they were ready to provide emergency space for classes which would accomodate two hundred pupils. They planned to operate the classes in the basements of their homes. The ten mothers hoped to use the displaced teachers from Venable School whom they planned to pay themselves (i.e. each child's parents would contribute to the salary of his teacher). The ten mothers of Venable School pupils announced that they were not affiliated with any group or organization (CEF or Venable PTA). They announced, also, that it was their intention to return their children to Venable School when it reopened, whether or not the school was desegregated.¹⁷⁷ Although the group of mothers originally intended not to incorporate, it announced plans to incorporate on August 30, 1958. The primary reason given for incorporation was that to do so would assure teachers guaranteed retirement benefits and other benefits provided by the State. The name taken by the group was Parents' Committee for Emergency Schooling. It commonly was called the Parents' Committee.¹⁷⁸

¹⁷⁷The Daily Progress, August 22, 1958, p. 1, col. 1.

¹⁷⁸The Daily Progress, August 30, 1958, p. 3, col. 8.

The events during the summer of 1958 did not go unnoticed in the halls of City government. Councilman Michie was now Mayor, elected by his fellow Councilmen as provided by City Charter. Mayor Michie, an attorney by profession, announced that the City would not tolerate unlawfulness from any faction in the dispute over school desegregation. His statement was made in three parts: the City government was determined to preserve law and order; the citizens of Charlottesville should demonstrate their respect for the courts and their orders; and the City government was determined to do everything in its power to preserve the City public school system.¹⁷⁹ Emphasis was added that preparations were being made for possible difficulties. It was announced that the Virginia State Police was installing a special two-way radio system to maintain efficient communications between Charlottesville police authorities and Virginia State Police.¹⁸⁰

Governor Almond advised the Norfolk City School Board on September 4, 1958 not to transfer any black pupils to white public schools. The Charlottesville School Board met on September 5, 1958 to consider the applications of thirty-three black pupils who applied for admission to white

¹⁷⁹Charlottesville, Virginia City Council Minutes, September 2, 1958, Minute Book J, p. 304.

¹⁸⁰The Daily Progress, September 3, 1958, p. 13, col. 4.

schools. The Board listened to reports on each applicant that were made by the Interviewing Committee of the School Board and the Superintendent. It was resolved unanimously that each applicant be refused permission to transfer.

Reasons given were: twenty-four lived in the Jefferson Elementary School District; sixteen were not academically qualified; and three were likely to have social adjustment problems in their new schools.¹⁸¹

Judge Paul announced that he could wait no longer for pending higher court actions in his consideration of the developments in Charlottesville. After two days of hearings on the School Board rejection of the black applicants, Judge Paul handed down an order. The order directed the School Board to transfer immediately ten black applicants to Venable Elementary School and two black applicants to Lane High School. The other applicants to Venable, McGuffey, and Johnson Elementary Schools, and Lane High School were refused transfer. The refusal was based on low achievement test scores in relation to classmates in the schools to which the pupils applied for transfer, or because the children lived closer to Jefferson Elementary School than to the white

¹⁸¹ Charlottesville, Virginia School Board Minutes, September 5, 1958, p. 1.

schools to which they applied. The School Board attorney announced plans to appeal the decision.¹⁸²

The School Board held a regular monthly meeting on September 11, 1958. An executive session was held to discuss the next course of action as a result of the order to transfer twelve black pupils to certain white schools in the City. The School Board attorney advised the School Board to plan to open those schools unaffected by the court order. Accordingly, the School Board adopted September 15, 1958 as the opening date of school for Burnley-Moran, Clark, Jefferson, Johnson, and McGuffey Elementary Schools. Opening Venable Elementary School and Lane High School was postponed until September 22, 1958.

At the same meeting, the School Board directed that all of Lane High School's home football games for the 1958 season be rescheduled and played outside the City of Charlottesville.¹⁸³ The action came about as a result of a previous agreement between the School Board and City Council caused by an incident at the high school athletic field during the previous summer. A black youth had shot and seriously wounded a white youth in a scuffle between the two

¹⁸²The Daily Progress, September 10, 1958, p. 1, col. 7.

¹⁸³Charlottesville, Virginia School Board Minutes, September 11, 1958, p. 1 and p. 4.

at a non-school sponsored wrestling match. The City officials were most concerned about preserving the peace and public safety. They thought, apparently, that conducting the high school football games outside the City would help prevent possible violence during those tense times.¹⁸⁴

Mayor Michie said that he expected a violent reaction from teenagers at Lane High School to the prospect of school desegregation. The Virginia State Police was alerted to be available if the Charlottesville Police Department needed assistance. James E. Bowen, Jr., City Manager, stated that one hundred thirty State troopers were available to lend assistance if the need arose.¹⁸⁵

Officials of the two groups which intended to open private schools explained their plans to the public. Pope said that the CEF planned to open classes for both Lane and Venable children and appealed to the churches of the City for classroom space. Pope said that as soon as the City teachers were released from their contracts, they would be given positions with the CEF and that State benefits for teachers were assured.¹⁸⁶

¹⁸⁴col. 4. The Daily Progress, September 10, 1958, p. 1,

¹⁸⁵Ibid.

¹⁸⁶Ibid., p. 17, col. 1.

Mrs. Ruth S. Caplin, member of the Parents' Committee, announced that the Parents' Committee was ready to begin immediately. Mrs. Caplin said: "We are ready to open immediately should it become definite that Venable will not open."¹⁸⁷

Judge Paul announced that he would not stay the order. Battle made plans to appeal the order to the Fourth Circuit Court of Appeals. By September 13, 1958, there seemed to be little doubt that the showdown between the federal courts and massive resistance was upon the School Board.¹⁸⁸

The Superintendent of Schools took steps to insure the legal operation of those schools about to open on September 15, 1958. He stated that it was the policy not to admit to any other City school any pupil assigned to Venable Elementary School. He said that such a move was not allowed because of a lack of space and the questions such a practice raises before the court.¹⁸⁹

On September 12, 1958, it was announced that a group was forming to urge the preservation of public schools. J. A. Rolston said that the group was making a City-wide effort to

¹⁸⁷The Daily Progress, September 10, 1958, p. 17,
col. 7.

¹⁸⁸The Daily Progress, September 13, 1958, p. 1,
col. 8.

¹⁸⁹The Daily Progress, September 13, 1958, p. 1,
col. 7.

solicit membership.¹⁹⁰ The group called itself the Committee for Public Education (CPE). It organized with an initial meeting attended by two hundred persons. The CPE said that it intended to ask City Council to open all public schools in the City. The CPE purpose was stated as follows:

1. We are determined to pursue every legal means to keep public schools open.
2. We are here concerned with neither encouraging integration nor perpetuating segregation.
3. We oppose any permanent arrangement which entrusts public education to private hands having no responsibility or accountability to the general public.
4. We have faith in Charlottesville's ability to meet its public education problems.¹⁹¹

With the exception of Venable Elementary School and Lane High School, the City schools opened without incident on September 15. It was announced that this was the first postponement of the opening of City schools since 1935. School opening was delayed that year because of a polio epidemic.¹⁹²

Those schools which opened reported an enrollment of 2671. It was estimated that 1700 were displaced because of the closing of the two schools. A few Lane High School pupils enrolled in neighboring high schools. Four enrolled

¹⁹⁰The Daily Progress, September 12, 1958, p. 13,
col. 8.

¹⁹¹The Daily Progress, September 15, 1958, p. 1,
col. 8.

¹⁹²The Daily Progress, September 15, 1958, p. 1,
col. 8.

at Nelson County High School. Thirteen enrolled at Scottsville High School. Two enrolled at William Monroe High School in Greene County. Sixteen enrolled at Waynesboro High School.¹⁹³

The CEF announced that it planned to begin its school effort even though there was a delay in tuition grants from the State. It was apparent that tuition grants were not going to be available until the constitutional issue surrounding them was settled by the Virginia Supreme Court of Appeals. That suit was not expected to be heard before January, 1959.¹⁹⁴

The CEF attempted to interest the Parents' Committee and two other less-well organized groups to join in plans for private schools. The Parents' Committee declined to join with the CEF on political grounds. The Parents' Committee was dedicated to public schools and Venable Elementary School in particular. The CEF declared intentions to organize and operate private schools in the event of public school desegregation. The CEF intended to operate schools to provide children and parents a choice between private, segregated schools and public, desegregated schools.¹⁹⁵ City Council influenced the issue by asking that private citizens lend

¹⁹³Ibid.

¹⁹⁴Ibid., p. 15, col. 2.

¹⁹⁵Ibid., p. 15, col. 2.

their support to efforts being made in the City for the education of those children who were about to be displaced at Venable School and Lane High School.¹⁹⁶

Governor Almond conferred with Battle, the School Board attorney, on September 18, 1958. He advised Battle that he was closing Venable School and Lane High School to prevent the desegregation of those schools.¹⁹⁷

The School Board met in a special meeting on the following day. It passed the following resolution offered by Wallenborn:

Because of circumstances beyond the control of the City Council and the School Board, we have been required by State law to relinquish to the Governor all authority over Venable Elementary School and Lane High School. There are so many imponderables involved that no one can predict with certainty how many weeks or months these schools will be closed or on what basis they may ultimately be reopened. The Council and School Board believe that the parents of children involved would be well advised to make the best private arrangements possible concerning the schooling of their children during this period of uncertainty.¹⁹⁸

The School Board reassured the teachers displaced by the school closings. The School Board passed the following motion offered by Meade:

¹⁹⁶Charlottesville, Virginia City Council Minutes, September 17, 1958, Minute Book J, p. 308.

¹⁹⁷The Daily Progress, September 18, 1958, p. 1, col. 8.

¹⁹⁸Charlottesville, Virginia School Board Minutes, September 19, 1958, p. 1.

Resolved, That in order to reassure the teachers at Lane High and Venable Elementary schools, in view of action of the Governor in taking over control of these schools, the City Council and the School Board hereby reaffirm their intention of standing by contracts between the teachers and the School Board.¹⁹⁹

As the CEF planned a program of private education, it expected to have the services of many Venable and Lane teachers. They were under contract to the City and presumably could volunteer their services to the CEF if they wished. It came as a surprise, then, when the Parents' Committee for Emergency Schooling announced that one hundred fifty high school pupils enrolled for a Parents' Committee high school program.²⁰⁰ The two major groups attempted to negotiate a compromise. It was suggested that perhaps the Parents' Committee was suited best for operating the elementary program and that the CEF was oriented best to operate the high school program.²⁰¹

The stalemate between the two groups was resolved by a third party. The Lane High School Faculty resolved that it could operate best under one private school program. The Faculty also took the position that once the private program was organized and put into motion, that it, the Lane Faculty, should take over the program and operate the program for the

¹⁹⁹Ibid.

²⁰⁰The Daily Progress, September 20, 1958, p. 9,
col. 6.

²⁰¹Ibid.

best interests of all the pupils enrolled. The Faculty at Lane appointed the Principal, W. I. Nickels, Jr., as the Chairman in official relations with all groups. Nickels said, ". . . they would rather work as a group to educate all of the children."²⁰² The Lane High School Faculty, therefore, put itself in the position of controlling the high school program. Plans that the CEF envisioned for using the Lane High School Faculty as the nucleus of the private white high school program were seriously crippled as a result.

The CEF and Parents' Committee agreed on September 24, 1958 to form a Joint High School Committee made up of three members of both groups. The Joint Committee, as it was called, agreed that membership to any particular group was not required of parents for their children to participate in the high school program.²⁰³ The Joint Committee was formed with the intention of organizing an emergency program which would be turned over to the Lane High School Faculty for operation and control.

Lane High School seniors began to register for private school classes on September 23. All high school pupils who had not made other arrangements were enrolled in the Joint Committee program by the end of September. Classes were

²⁰²The Daily Progress, September 22, 1958, p. 1, col. 5.

²⁰³The Daily Progress, September 24, 1958, p. 1, col. 1.

organized using those displaced public school teachers under contract to the School Board. Space was provided by a private club, an industrial education institution, and various churches in the City.

The elementary pupils displaced at Venable School had a choice of participation in two programs. The Parents' Committee planned their program to use private houses and public school teachers (whom they intended to pay from their own funds prior to the announcement of the School Board that those displaced teachers were to be paid under terms of their contracts). The Parents' Committee began classes for three hundred thirty-four elementary pupils on September 24. One hundred eighty-six pupils enrolled for the CEF elementary school program.²⁰⁴ A large old house in the Southwestern section of the City called Frys' Springs was leased by the CEF. All CEF elementary classes were scheduled in the house. Teachers displaced by the school closings were to conduct the classes.²⁰⁵

There was one other elementary school program in operation in the City. One Venable School first-grade teacher, at the request of parents, agreed to conduct a first-grade

²⁰⁴The Daily Progress, September 24, 1958, p. 1,
col. 1.

²⁰⁵The Daily Progress, September 25, 1958, p. 23,
col. 1.

program in the basement of her home. Twenty-three first graders participated in that program.²⁰⁶

With few exceptions, pupils displaced from schools in Charlottesville were enrolled in some kind of school program. Those programs included: Joint High School Committee program for high school pupils; Charlottesville Education Foundation program for elementary pupils; Parents' Committee for Emergency Schooling program for elementary pupils; first grade program conducted by one Venable teacher; and an informal, unorganized "program" of attendance by Charlottesville pupils at various schools, both public and private, in other communities in Virginia and outside the State.

A small core of pupils, consisting of school and class officers, circulated a petition as registration took place for Lane seniors. The petition was addressed to Governor Almond. The Governor was asked in the petition to reopen Lane High School. It was stated in the petition that the signers of the petition were being denied proper facilities and adequate educational opportunities as a result of the closing of Lane High School. No position on desegregation was taken in the petition. A somewhat smaller group of pupils sent Governor Almond a telegram which supported his action of

²⁰⁶The Daily Progress, September 23, 1958, p. 11, col. 5.

closing the school.²⁰⁷

The twelve black pupils that were assigned to the two closed schools were displaced. They had no formal school program to attend. A black spokesman announced that plans were being made for the twelve pupils to be taught by former school teachers or substitute teachers while schools to which they were assigned were closed.²⁰⁸

The Committee for Public Education announced on September 29, 1958 that it intended to hold a rally at the Memorial Gymnasium at the University of Virginia after the Governor refused permission to use Lane High School auditorium. The theme of the rally was "Save Our Schools."²⁰⁹ It was estimated that four hundred fifty people attended the rally on October 2. The rally heard Dean Ralph W. Cherry of the School of Education of the University of Virginia say that Virginia had waited for the Governor to act, but that the outlook for the reopening of schools was not very bright at that time. A resolution was adopted at the rally urging Governor Almond to reopen the public schools he had closed

²⁰⁷The Daily Progress, September 23, 1958, p. 11, col. 5.

²⁰⁸The Daily Progress, September 25, 1958, p. 23, col. 5.

²⁰⁹The Daily Progress, September 29, 1958, p. 15, col. 7.

in Charlottesville. It was announced at the rally that CPE membership was eight hundred twenty-five.²¹⁰

Several White Citizens' Council members attended the CPE rally. The President of the local White Citizens' Council, George A. Cason, distributed leaflets at the main entrance to the gymnasium before the meeting began.²¹¹

Another petition in support of the action of the Governor was circulated before the rally of the CPE was held at Memorial Gymnasium. The chief sponsor of the petition was Henry B. Gordon, former-Charlottesville Delegate to the General Assembly. It was stated in the petition that there was a left-wing group pushing for desegregation. It was the intention of the petitioner to inform the Governor that the membership of the CPE was not representative of Charlottesville or Virginia and that the Governor should ignore the demand of the CPE.²¹² The petition was signed by four thousand people by October 16, 1958.²¹³

It was announced on October 2, 1958 that the School Board would meet with Governor Almond in Richmond. It was

²¹⁰The Daily Progress, October 3, 1958, p. 15, col. 7.

²¹¹Ibid.

²¹²The Daily Progress, September 30, 1958, p. 13, col. 8.

²¹³The Daily Progress, October 16, 1958, p. 23, col. 7.

implied that the Governor was prepared to discuss the reopening of schools. No announcements were made concerning the outcome of the meeting.²¹⁴

The District J of the Virginia Education Association, of which Charlottesville was a part, passed a resolution supporting public education in Virginia.²¹⁵ It was reported the following afternoon that the NAACP appealed for public schools to be reopened.²¹⁶

City Council, in the meantime, failed to take any action on two petitions. The petitions were used to ask for City Council approval of school reopening efforts. One petition was sponsored by the Committee for Public Education. The other was sponsored by the League of Women Voters.²¹⁷

Judge Paul once again exerted his authority over the Charlottesville school situation. He expressed the opinion on October 8, 1958 that it was unlawful to use public school teachers in the emergency schools unless the displaced black children were also allowed to attend those schools.²¹⁸

The opinion of the Judge placed the emergency school program in serious jeopardy. The CEF was dedicated to

²¹⁴The Daily Progress, October 2, 1958, p. 1, col. 7.

²¹⁵The Daily Progress, October 3, 1958, p. 15, col. 1.

²¹⁶The Daily Progress, October 4, 1958, p. 1, col. 1.

²¹⁷The Daily Progress, October 7, 1958, p. 1, col. 5.

²¹⁸The Daily Progress, October 8, 1958, p. 1, col. 1.

segregated schools. The CEF planned to operate a private school program for white children in the event that public schools were desegregated. The Parents' Committee supported public schools and intended to have their children return to them when they were reopened. It appeared that the two major groups could not agree on what course of action to take. Both groups were represented by three members each on the Joint High School Committee. The Joint Committee adopted no official position. The issue was finally left on a "wait-and-see" basis. Action was declined until a black application was submitted. Until the time that a black application might be received, the emergency schools were operated as before.²¹⁹

The parents of the black pupils who, according to Judge Paul, might apply to the emergency schools decided that they would consult with their attorneys before taking any action.²²⁰ Randolph L. White, editor of the Charlottesville-Albemarle Tribune, a black weekly newspaper, as quoted in The Daily Progress, wrote that there was no advantage to be gained from attempting to enroll black pupils in the white emergency schools. White said that the objective of the parents' suit against the School Board was the desegregation of public schools.²²¹ Interference with the efforts of white

²¹⁹The Daily Progress, October 14, 1958, p. 11, col. 7.

²²⁰The Daily Progress, October 15, 1958, p. 23, col. 6.

²²¹The Daily Progress, October 18, 1958, p. 9, col. 8.

parents who attempted to secure education for their children while the public schools were closed was not an objective of the court suit. Blacks did not seek enrollment in the emergency schools. The emergency schools continued to operate until they no longer were needed, even though they were under the threat of desegregation based on Judge Paul's opinion on the use of public school teachers. On October 9, 1958, one black parent asked that her son be reassigned from Lane High School to Burley High School. The School Board approved the request.²²²

A question arose concerning the accreditation of the work the pupils of Lane High School completed under the emergency program. The State Department of Education promised to give special consideration to the private school programs.²²³ Certain admissions officers at the University of Virginia questioned the quality of the program offered in the hastily-assembled private program.²²⁴ President Darden squelched that concern very soon. He stated on October 18, 1958 that the main factor in the quality of education was the teacher. Speaking about the success of Lane High School

²²²Charlottesville, Virginia School Board Minutes, October 9, 1958, p. 5.

²²³The Daily Progress, September 24, 1958, p. 12, col. 3.

²²⁴The Daily Progress, September 27, 1958, p. 3, col. 4.

graduates at the University of Virginia, he said: "I consider the Lane teaching staff first rate. Our long experience with the school has been very good."²²⁵

The annual convention of the Virginia PTA was held during the week of October 21, 1958. The Venable Elementary School and Lane High School PTA's were asked by the State group not to send delegations to the State convention. When the question of a resolution supporting the closing of schools by Governor Almond came to the floor of the convention, it was defeated by a tie vote, 557 to 557.²²⁶

Governor Almond was named a defendant in a suit brought in a Norfolk court. Parents of children locked out of school in Norfolk brought the suit to challenge the constitutionality of the school closing law.

Meanwhile, the massive-resistance laws once again became the subject of discussion in an election campaign. This campaign was for the U. S. Senate seat held by Senator Byrd. Senator Byrd stood for reelection against a woman from Augusta County, Dr. Louise Wensel. Senator Byrd's challenger made the school closings the campaign issue. She was opposed to massive resistance and demanded that schools be reopened.²²⁷ The woman doctor drew a small vote throughout

²²⁵The Daily Progress, October 18, 1958, p. 9, col. 7.

²²⁶The Daily Progress, October 22, 1958, p. 1, col. 8.

²²⁷The Daily Progress, November 1, 1958, p. 3, col. 7.

the State, except in those areas affected by school closings. In Charlottesville, she lost by a vote of 1402 to 2690.²²⁸ It seemed that voters who were affected by school closings cast a vote of protest against Senator Byrd.

J. A. Rolston, Chairman of the Committee for Public Education, appeared before the School Board on November 13, 1958. He requested permission to use Lane High School auditorium for public meetings sponsored by the CPE. The School Board agreed to consider the request and inform Rolston of its decision.²²⁹ The School Board discussed the situation regarding the two closed schools. It did not know what would be the future of those schools. The School Board promised that it would deal with any developments pertaining to the closed schools. Until something developed, however, the School Board made no plans for the closed schools.²³⁰

Mayor Michie said on November 19, 1958 that the schools would be reopened. His position was stated in the daily newspaper as follows:

Michie predicted failure for those who would surrender public schools rather than ". . . accept the degree of integration accepted by every state which borders Virginia." He said that supporters of

²²⁸The Daily Progress, November 5, 1958, p. 1, col. 1.

²²⁹Charlottesville, Virginia School Board Minutes, November 13, 1958, p. 1.

²³⁰The Daily Progress, November 14, 1958, p. 13, col. 1.

massive resistance will not give up easily, but
 ". . . I hope the State of Virginia will go forward
 in the enlightened spirit . . . of her neighboring
 states."²³¹

Mayor Michie, as an attorney, understood the arguments that were presented to the courts and the position of the courts in their decrees on segregated schools. The matter of the constitutionality of the school closing laws was before the Virginia Supreme Court of Appeals. The chief question under consideration was the constitutional requirement for State support of public education. Attorney-General Albertis S. Harrison, Jr. argued that there was no State requirement for State supported schools if the constitutional requirement for segregated schools for the races were stricken. That requirement was stricken when found in conflict with the Supreme Court's interpretation of the Fourteenth Amendment to the United States Constitution.²³²

The Defenders of State Sovereignty and Individual Liberties remained staunchly opposed to the admission of black pupils to white public schools. The rhetoric used by the Defenders was reminiscent of pre-Civil War dialogue.²³³ The Defenders called on Governor Almond on December 20 to

²³¹The Daily Progress, November 19, 1958, p. 17, col. 8.

²³²Harrison v. Day, 200 Va. 439 (1959).

²³³The Daily Progress, December 4, 1958, p. 2, col. 1.

reenforce its position.²³⁴ The editor of The Daily Progress criticized the Defenders for its choice of words. The editor added that Virginia could conform to the law and, at the same time, provide for those opposed to desegregation of schools. The editor went on to praise the concept of freedom-of-choice as proposed by Leon Dure of Keswick.²³⁵

All was not perfectly peaceful at the schools during this time. Lane High School was vandalized on November 16, 1958, apparently by two young blacks who also broke into some business establishments in the City. Damage to the art room, which was the scene of the vandalism, amounted to \$1,812.15.²³⁶ The Superintendent of Schools made arrangements for an employee to be on duty at all times at Venable School and Lane High School. Burley High School received a bomb threat at 4:30 P. M. on December 4, 1958. After a thorough search, the building was declared to be secure. Police were able to trace the call to a Burley pupil. The pupil said he called because of some poor grades he received on his report card.²³⁷ The Superintendent of Schools made

²³⁴The Daily Progress, December 20, 1958, p. 9, col. 3.

²³⁵Editorial, The Daily Progress, December 4, 1958, p. 4, col. 1.

²³⁶Charlottesville, Virginia School Board Minutes, December 11, 1958, p. 3.

²³⁷The Daily Progress, January 28, 1959, p. 25, col. 1.

arrangements to have watchmen in certain buildings at all times.

The Committee for Public Education made plans to organize at the State level.²³⁸ Francis P. Miller, long-time leader of anti-Byrd Democratic forces in Virginia, was a significant voice in the group in Charlottesville and played a part in organizing the State group.²³⁹

Leon Dure presented a further refinement of his freedom-of-choice plan. It was basically a system of private schools for whites supported by State-tuition grants operated in conjunction with public schools which were desegregated. The plan offered anyone the right to choose which type of school to attend.²⁴⁰ The editor of The Daily Progress continued to support the Dure plan. The Human Relations Council heard from a visiting speaker that private schools would be used to maintain segregation.²⁴¹

It was announced on December 23, 1958 that twenty per cent of Lane High School students were not attending the Joint High School Committee program. Sixteen per cent of the students were attending other schools. Four per cent were out of school. The numbers were as follows:

²³⁸The Daily Progress, December 8, 1958, p. 13, col. 1.

²³⁹The Daily Progress, November 2, 1958, p. 3, col. 1.

²⁴⁰The Daily Progress, December 12, 1958, p. 4, col. 3.

²⁴¹The Daily Progress, December 12, 1958, p. 17, col. 6.

44 students - Albemarle High School
 18 students - Scottsville High School (Albemarle
 County)
 16 students - Waynesboro High School
 8 students - Nelson County High School
 5 students - Fluvanna County High School
 5 students - Glass High School (Lynchburg)
 4 students - Belfield Private School (8th grade)
 25 students - Various Virginia private schools
 54 students - in other schools in Virginia and a
 dozen other states
 42 students - not in school
 221 students²⁴²

Dr. Lorin Thompson of the Bureau of Economic and Population Research at the University of Virginia made a study on "Some Economic Aspects of Virginia's Current Educational Crisis." He was concerned about the threat that massive resistance held for the economic growth of Virginia. The following quotation summarized his concern:

. . . it [Virginia] would find itself in a very unique position in that it would assume no obligation for the education of its children where other states in the nation have systems of public free education, most of which over the years have been better and more adequately financed than the public school system of Virginia. The higher cost of private schooling would unquestionably have the effect of encouraging families who now work in manufacturing plants, business concerns, and professional services in Virginia to move to other states which offer attractive facilities for the public education of their children. All business and industry, if it wished to retain present employees would find it necessary to increase wages and salaries to a point high enough to cover a substantial part of the costs of families sending their children to private schools. While it is quite probable that if public education were abandoned business taxes would be decreased, it is unlikely that they would be decreased enough to offset

²⁴²The Daily Progress, December 23, 1958, p. 13, col. 1.

the increased wage and salary costs of their employees for the support of private education. Even if such a venture were ultimately successful there is little doubt that for a decade or more efforts to promote and stimulate economic development would be relatively ineffective.²⁴³

The School Board conducted a regular monthly meeting on January 8, 1959. The Committee for Public Education sent a representative to the meeting. He asked that the School Board be prepared to act on the reopening of Venable School and Lane High School as soon as possible following the action expected from the Virginia Supreme Court of Appeals on January 19 (on the constitutionality of the Virginia laws on the closing of schools). A spokesman for the Parents' Committee for Emergency Education reassured the School Board that the Parents' Committee was confident in the School Board's ". . . capacity to deal reasonably and effectively with the desegregation problem."²⁴⁴

The School Board did not commit itself to a policy in the event the two schools were returned to the control of the School Board. Members of the School Board thought that any action was premature at that time. School Board Chairman Goodman said that the School Board would "play it by ear" if

²⁴³Lorin Thompson, "Some Economic Aspects of Virginia's Current Educational Crisis," (Charlottesville: Bureau of Economic and Population Research, 1958), pp. 7-8. (mimeographed)

²⁴⁴Charlottesville, Virginia School Board Minutes, January 8, 1959, pp. 1-2.

the school closing laws were found unconstitutional. He added: ". . . The schools would not reopen immediately regardless of how the court rules." Board member Adams injected that ". . . if he could not operate schools, he would give the job to someone else!"²⁴⁵

Mayor Michie, talking to reporters the morning after the School Board meeting, said that in his opinion the subject of reopening the two schools was School Board business. He said that the School Board was free always to seek City Council advice if the School Board saw fit. The Mayor remained firm in his opinion, however, that school openings and desegregation would occur within a month.²⁴⁶

On January 15, 1959, two parents of displaced children gave opposing views on the reopening of the two schools. One, a CEF board member, urged that the school be kept closed. The other parent, a board member of the Parents' Committee, said that the School Board would seek adequate legal advice before reopening any of the schools. She continued that everyone in the Parents' Committee program was ready to go back to Venable Elementary School and Lane High School.²⁴⁷

School Board representatives met with Governor Almond on January 17, 1959. The purpose of the meeting was to

²⁴⁵The Daily Progress, January 9, 1959, p. 15, col. 7.

²⁴⁶Ibid., p. 15, col. 1.

²⁴⁷The Daily Progress, January 15, 1959, p. 15, col. 7.

discuss the City school situation in light of probable developments surrounding the closing laws.²⁴⁸

On January 19, 1959, the Virginia Supreme Court of Appeals ruled the massive-resistance laws unconstitutional.²⁴⁹ A three-judge federal court in Norfolk on the same day ruled the school closings in that City were unlawful also.²⁵⁰

The reaction to this news was immediate in Charlottesville. The School Board and City Council agreed to meet on the evening of January 19, 1959 to discuss the case with Battle, the School Board attorney. Rolston said that the Committee for Public Education would not be satisfied until Venable Elementary School and Lane High School were reopened. D. B. Marshall, President of the CEF, said that the CEF was in business to provide an education for those who did not find the public schools acceptable.²⁵¹

The next day the School Board Chairman announced that the School Board did not decide against reopening the schools. He added that, ". . . we do not know how or when." Goodman's understanding was that the School Board was now in control of Venable Elementary School and Lane High School because the Virginia Supreme Court of Appeals ruled illegal the

²⁴⁸The Daily Progress, January 17, 1959, p. 1, col. 4.

²⁴⁹Harrison v. Day, Ibid.

²⁵⁰James v. Almond, 170 F. Supp. 331 (1959).

²⁵¹The Daily Progress, January 19, 1959, p. 1, col. 6.

Governor's seizure of the schools. He added that he did not know what else the School Board could do ". . . but reopen the closed schools." Board member Michael expressed some reservations about Goodwin's statement.²⁵²

A petition sponsored by Knox Turnbull, investment broker, was circulated among the businessmen of Charlottesville. The properly constituted authorities were asked in the petition to reopen the schools as soon as possible. Apparently, Thompson's prediction of economic consequences resulting from school closings had some influence on the business community. Turnbull attended several CPE meetings, but he did not claim membership in the group.²⁵³

Another petition was presented to City Council. The petitioners asked City Council not to reopen the two closed schools. The sponsors of the petition appeared to be officers in the CEF.²⁵⁴

There appeared to be four organized groups campaigning for the reopening of the two schools on January 21, 1959. They were: the group of businessmen headed by Turnbull; the League of Women Voters; the Parents' Committee for Emergency Education; and the Committee for Public Education. The CPE held a meeting on the night of January 20 which was attended

²⁵²The Daily Progress, January 20, 1959, p. 1, col. 8.

²⁵³Ibid., p. 9, col. 1.

²⁵⁴The Daily Progress, January 21, 1959, p. 1, col. 1.

by one hundred seventy-five persons. The CPE announced that it had contacted each School Board member privately. Each School Board member was urged to vote to reopen the two schools.²⁵⁵

It appeared that by January 23, 1959 two organized groups were opposed to the reopening of the schools. They were the Defenders of State Sovereignty and Individual Liberties and the Charlottesville Education Foundation. The Defenders organized a meeting at the County Courthouse. E. J. Oglesby said the speaker's subject was: "We're just beginning to fight!" The speaker was William J. Story, member of the Virginia State Board of Education, and Superintendent of the South Norfolk City Schools.²⁵⁶ The CEF was faced with the prospect of having to pay the teachers in the CEF elementary school program if the program remained in operation after Venable Elementary School was reopened. The CEF President said that the Virginia Education Fund had set aside \$10,000 for the CEF. The CEF would have to raise funds to pay the balance of salaries if tuition fees were not charged. One business firm, Southern Welding and Machine Company, paid for a teacher added to the CEF elementary school staff after the school session began.²⁵⁷

²⁵⁵Ibid., p. 15, col. 5.

²⁵⁶The Daily Progress, January 23, 1959, p. 13, col. 4.

²⁵⁷Ibid., p. 13, col. 7.

Battle cautioned the School Board that the only legal recourse was for the School Board to reopen the two schools.²⁵⁸ The members of City Council announced that they were not opposed to the reopening of the two schools if that was the only alternative left according to law.²⁵⁹

The School Board held a joint meeting with City Council in Battle's office on January 26, 1959. The attorney discussed the status of the schools as affected by recent court decisions. The School Board passed resolutions to reopen Venable Elementary School and Lane High School. Those resolutions are quoted in part as follows:

1. . . . many of the facilities made available for such purposes and many of the teachers who have been responsible for such instruction may not be hereafter available, and, further that as commendable as such operations have been during this period of emergency they cannot relieve this Board of its obligation to make adequate public schools available to all children of school age in the city. . . .

.
2. It is the unanimous decision of this Board to operate all of the public schools under its jurisdiction in strict compliance with law and as to the assignment of pupils in and to the various schools, elementary and secondary, to abide by any subsisting and effective court order.

3. In view of the recent decision of The Supreme Court of Appeals of this state in the case of Harrison v. Day, it feels that the best interest of the city and the school children require that the public schools be operated irrespective of the attendance or threatened attendance of some pupils of both races in the same schools as a result of Court orders or any other future plan of operation that may be adopted by this Board; and since it further believes that the only

²⁵⁸The Daily Progress, January 24, 1959, p. 1, col. 8.

sound way of administering the public school system of the city is to work within the framework of a lawful assignment plan, as many other communities have successfully done, it will as soon as practicable submit to the appropriate federal court for approval a non-discriminatory assignment plan. . . .²⁶⁰

The plan proposed by the School Board was designed to begin in September, 1959. Pupil assignments were to be made on a non-discriminatory basis. Geographical districts for the schools with optional attendance in those schools were developed. School transfers would be granted only to those pupils whose school progress would be benefited, according to the plan.

The fourth part of the resolution ordered the School Board attorney to request the U. S. Fourth Circuit Court of Appeals to grant a stay in Judge Paul's desegregation order until September, 1959.²⁶¹ The School Board announced that it would decide on the reopening date of Venable School and Lane High School by January 31, 1959. The next day City Council announced support of the decision of the School Board to reopen the schools.²⁶² Twelve hundred petitioners also indicated their support of the School Board action.²⁶³

²⁶⁰Charlottesville, Virginia School Board Minutes, January 26, 1959, pp. 1-2.

²⁶¹Ibid., p. 2.

²⁶²Charlottesville, Virginia City Council Minutes, January 27, 1959, Minute Book J, p. 321.

²⁶³Ibid.

The chief executive officers of each of the three banks in Charlottesville supported the decision of the School Board.²⁶⁴ One hundred fifty-six faculty members of the University of Virginia signed a petition which indicated their support of the reopening of the public schools.²⁶⁵ A full page advertisement supporting the School Board with hundreds of signatures was published in The Daily Progress on January 31, 1959.²⁶⁶

Governor Almond reversed his public position on public school desegregation on January 28, 1959. He said that the public schools had no choice but to follow the orders of the courts. He indicated that he had no plans for the General Assembly to consider in attempting further to block desegregation. He advised the General Assembly to repeal the compulsory school attendance law and enact a tuition-grant plan.²⁶⁷

President Darden congratulated the Charlottesville School Board on its decision to reopen the two schools. He said that limited desegregation was an experiment well worth the effort. He advised local school boards to consult black leaders in the future before taking action. He also advised

²⁶⁴The Daily Progress, January 28, 1959, p. 15, col. 6.

²⁶⁵Ibid.

²⁶⁶The Daily Progress, January 31, 1959, p. 3, col. 6.

²⁶⁷Ibid., p. 1, col. 4.

local School Boards to make plans, where necessary, for a dual school system in which most whites would attend private, tuition-grant schools and most blacks would remain in the public schools.²⁶⁸

The School Board attorney met with Judge Simon E. Sobeloff of the U. S. Fourth Circuit Court of Appeals in Baltimore. The attorney was directed by the School Board to seek a stay of the desegregation order of the lower court. The parents of the black pupils assigned to the two closed schools consulted with their attorneys. The President of the local branch of the NAACP said that it was hoped that the judge would deny a stay of the desegregation order.²⁶⁹

Judge Sobeloff heard Battle's plea for the School Board. The judge granted the stay ordering desegregation delayed until September, 1959. He ordered the School Board to present Judge Paul with a desegregation plan within twenty days.²⁷⁰ That afternoon, on January 30, 1959, it was announced that both Venable Elementary School and Lane High School would be reopened on a segregated basis for the remainder of the school year. That evening the School Board met and set February 4, 1959 as the date for reopening the

²⁶⁸Ibid., p. 15, col. 6.

²⁶⁹The Daily Progress, January 28, 1959, p. 15, col. 6.

²⁷⁰School Board of the City of Charlottesville v. Allen, 263 F. 2d 295 (1959).

two schools. The School Board also adopted resolutions of gratitude to the City for its many sacrifices and efforts made to continue the education of pupils displaced during the period the schools were closed.²⁷¹

The Defenders held a meeting on January 30, 1959. William J. Story spoke for the principle of nullification, apparently attempting to spark some enthusiasm for that principle in the General Assembly. Oglesby, President of the local group, urged that plans be made at once to set up private schools for whites. In his position as School Board member of Albemarle County, Oglesby said: "As for Albemarle County," the County Board of Supervisors and School Board, "should make it plain to Negroes and white liberals that there won't be any integration in the county."²⁷² The CEF announced that same day that when the two schools were reopened, the CEF planned to suspend operations until September, 1959.

Venable Elementary School and Lane High School opened on February 4, 1959 without incident. Most teachers and pupils appeared excited about getting back to the schools.²⁷³ Fourteen hundred fifteen school pupils appeared for classes

²⁷¹Charlottesville, Virginia School Board Minutes, January 30, 1959, pp. 1-2.

²⁷²The Daily Progress, January 30, 1959, p. 19, col. 6.

²⁷³The Daily Progress, February 2, 1959, p. 11, col. 6.

on that day. Eight hundred seventy-five enrolled at Lane High School. Five hundred forty enrolled at Venable School. The enrollments dropped at both schools because of the closings. The enrollment for the previous year at Lane was nine hundred seventy-five and at Venable the enrollment was six hundred ten.²⁷⁴ The twelve black pupils assigned to the white schools were not in school. The School Board agreed with the federal courts that the black pupils who had been out of school would be tutored daily for the remainder of the school year. The School Board hired teachers for that purpose. According to the Daily Classroom Register, ten black elementary pupils were enrolled in a school program conducted in the School Board office. The two high school pupils were not reported in the register. The Daily Classroom Register identified the program as "Academy."²⁷⁵ The purpose of the School Board effort was to help the children make up for lost days of school work and to bring their work up to the level of the children with whom they would be assigned in white schools in September, 1959, if the School Board found them qualified.²⁷⁶

²⁷⁴The Daily Progress, February 4, 1959, p. 1, col. 2.

²⁷⁵Daily Classroom Register, Academy, Charlottesville Public Schools, Spring 1959.

²⁷⁶Charlottesville, Virginia School Board Minutes, February 18, 1959, p. 2.

The General Assembly was called to Richmond for a special session by Governor Almond. The purpose of the special session was to consider new legislation for the public schools now that the massive-resistance laws were stricken by various court orders. Senator McCue announced that he intended to find out the views concerning school desegregation of the School Boards of the constituency he represented. He sought the opinions of the School Boards for legislative study.²⁷⁷ The legislative body was intent on finding ways to limit the level of desegregation in the public schools.²⁷⁸ The editor of The Daily Progress once again indicated his support of the freedom-of-choice plan as proposed by Leon Dure of Keswick.²⁷⁹

The Charlottesville Education Foundation announced registration for classes in September. A CEF spokesman said on February 14, 1959 in the local daily newspaper: "Many good citizens are unwilling to accept racially integrated schools for their children." Dean Emeritus of the University of Virginia Ivey F. Lewis volunteered his services to the CEF. He brought considerable experience for planning and for registering students.²⁸⁰

²⁷⁷The Daily Progress, February 9, 1959, p. 15, col. 1.

²⁷⁸The Daily Progress, February 11, 1959, p. 1, col. 8.

²⁷⁹Editorial, The Daily Progress, February 11, 1959, p. 4, col. 1.

²⁸⁰The Daily Progress, February 16, 1959, p. 15, col. 6.

The School Board announced on February 12, 1959 that it had received application forms for State tuition grants from Richmond. Those parents who paid tuition for their children to attend non-sectarian private schools because Lane and Venable were closed were advised to secure the applications from the Principals of the two schools. The School Board also sent notices to all teachers that they were to be offered reappointment for the following school year with a raise in pay.²⁸¹ The School Board apparently wanted to inform the teachers that reemployment was assured in spite of private school operation.

The School Board attorney presented the desegregation plan of the School Board to Judge Paul on February 18, 1959. The School Board followed the previously announced plans and assigned ten black pupils to Venable School and two black pupils to Lane High School.²⁸² Judge Paul announced that if the plaintiffs did not seek a hearing, he would approve the School Board plan as presented.²⁸³ The attorneys for the plaintiffs were uncertain about the plan but entered no objection. Judge Paul approved the plan of the School Board on March 10, 1959.²⁸⁴

²⁸¹Charlottesville, Virginia School Board Minutes, February 12, 1959, p. 2.

²⁸²The Daily Progress, February 18, 1959, p. 1, col. 1.

²⁸³The Daily Progress, February 19, 1959, p. 1, col. 5.

²⁸⁴The Daily Progress, March 10, 1959, p. 1, col. 8.

The Defenders maintained their public activity by holding a public meeting on February 19, 1959. The speaker originally was scheduled to be the State Superintendent of Public Instruction, Dr. Davis Y. Paschall. He cancelled his plans to speak at the meeting. Leon Dure spoke instead. He delivered his plan for private schools. The Defenders were inclined to support Dure's freedom-of-choice plan because of the apparent failure of the massive-resistance laws in the courts.²⁸⁵ Oglesby later went before the Education Commission of the General Assembly to support the Dure plan.²⁸⁶

The Human Relations Council remained active also. The same evening that Dure presented his program to the Defenders, the Human Relations Council heard a speech describing desegregation in Washington, D. C. Desegregation in Washington was described as an asset to the school system. Desegregation revealed to the School Board in Washington, D. C. the many weaknesses in the system and the improvements necessary to correct those weaknesses.²⁸⁷

The CEF became competitive with the public schools for both pupils and teachers. The CEF announced on February 20, 1959 that it had registered thirty Lane High School pupils

²⁸⁵The Daily Progress, February 20, 1959, p. 17, col. 4.

²⁸⁶The Daily Progress, February 26, 1959, p. 21, col. 5.

²⁸⁷The Daily Progress, February 20, 1959, p. 17, col. 1.

and nineteen Venable School pupils for its school program to be opened in September. Frederick S. Morton, Chairman of the Joint High School Committee and member of the Parents' Committee for Emergency Schools said: "We know that beyond any doubt Lane will be open next year. We are going to send our children there and we urge the whole community to send their children to Lane."²⁸⁸ Dean Lewis, now Director of Education for CEF said: "I am convinced that an effective private school system offers the only solution to the chaos which will follow the integration of our public schools."²⁸⁹ By February 23, 1959, the CEF claimed to have two hundred fifty-four Lane High School pupils and one hundred twenty-nine Venable Elementary School pupils enrolled in CEF schools for the 1959-60 school year.

The editor of The Daily Progress attempted to remove some of the pressure from the Charlottesville School Board. He proposed that the CEF open enrollment to any white child regardless of school affiliation. Such a plan permitted white children in other school communities to enroll in the CEF schools. The CEF recruiting program did not have to concentrate entirely on Lane High School or Venable School, but could enroll white children from other schools in the City

²⁸⁸The Daily Progress, February 23, 1959, p. 15, col. 6.

²⁸⁹Ibid., p. 15, col. 7.

or surrounding communities.²⁹⁰ By February 25, 1959, the CEF enrolled three hundred sixty-two Lane pupils and one hundred seventy Venable pupils.²⁹¹

The CEF announced on March 5, 1959 that it would accept registrations from students in the City and County. The CEF also planned to offer teachers the same terms of employment as those offered by the Charlottesville School Board.²⁹² The hope of the CEF was that it could use members of the Lane High School Faculty as the core of the private high school program. The CEF hoped to do the same with members of the Venable School Faculty.

The public school teachers did not align with the CEF in the numbers that the CEF had hoped. Of fifty Lane teachers, forty-seven indicated that they planned to return to Lane to teach in September. The three remaining teachers said that their plans were indefinite. Of twenty-six Venable teachers, sixteen indicated that they planned to return to Venable in September. One Venable teacher indicated intentions of working for the CEF. The remaining nine teachers were undecided about future plans.²⁹³

²⁹⁰Editorial, The Daily Progress, February 24, 1959, p. 4, col. 1.

²⁹¹The Daily Progress, February 25, 1959, p. 19, col. 7.

²⁹²The Daily Progress, March 5, 1959, p. 21, col. 8.

²⁹³The Daily Progress, March 7, 1959, p. 3, col. 1.

The School Board, at the regular meeting on March 11, 1959, reappointed one hundred sixty-three teachers to City schools. The CEF expected to recruit some City school teachers. By this time, the CEF had enrolled five hundred Lane and one hundred ninety-four Venable pupils. The CEF received a gift of \$10,000 from the Virginia Education Foundation.²⁹⁴

John S. Battle, Jr. spoke before the Venable School PTA on March 23, 1959. He cautioned members of the Venable PTA against removing their children from Venable School in favor of tuition-grant private schools. He said that available space may be the determining factor in the amount of desegregation imposed upon the school. Some of his comments were as follows:

. . . face integration and handle it and see to it that the standards of this school are not lowered. If you stay here and see to it, those standards will improve. If you abandon the school, it will deteriorate.²⁹⁵

Judge Paul approved the pupil assignment plan of the Charlottesville School Board later that month. Oliver W. Hill, attorney for the plaintiffs, expressed some reservations about the plan. He said: "We have some specific objections, but will rely on the good faith of the Charlottesville officials and see how it works out."²⁹⁶

²⁹⁴The Daily Progress, March 13, 1959, p. 13, col. 4.

²⁹⁵The Daily Progress, March 24, 1959, p. 11, col. 1.

²⁹⁶The Daily Progress, March 30, 1959, p. 1, col. 3.

The CEF continued plans for opening a private school program in September. Plans were made to purchase land for school construction. The CEF also hired a teacher from Lane High School, Arthur D. Barfield, Jr., as Executive Director of the CEF. Dean Lewis was retained as an educational consultant. It was announced on April 17, 1959 that the CEF had employed ten teachers for the elementary school. That number included seven teachers from Venable School and two teachers from other schools in the City.²⁹⁷ The CEF announced on April 23, 1959 the selection of Rock Hill, a small estate on the Northwest side of the City, as the choice for the location of its high school. The CEF picked a residential site about a mile from Rock Hill for the elementary school, Robert E. Lee.

Public housing became an issue during this time. City voters had established a public housing authority a few years previously. The Housing Authority reviewed sites for public housing. For the initial project of the authority, a site was selected at the corner of 5th Street, Southwest and Cherry Avenue. The site seemed to be a logical one to the Housing Authority because the site was located in a neighborhood undergoing a transition from predominately white to predominately black. A large number of white Cherry Avenue

²⁹⁷The Daily Progress, April 17, 1959, p. 17, col. 3.

residents were opposed to the public housing site. The residents were opposed on the grounds that such a development would desegregate Johnson Elementary School, the neighborhood school, because the site was located within the new Johnson School attendance area approved by Judge Paul.²⁹⁸ The whites appealed their position to the City Council, but City Council took no action on their request. The reasoning of City Council was that the site selection for public housing was a matter left up to the Housing Authority.²⁹⁹ The Cherry Avenue residents were not satisfied to leave the matter at that. They took their grievance to Senator McCue. He apparently saw an opportunity to advance his political influence in the City and, at the same time, to embarrass City Council, with which he was politically estranged though all concerned were nominal Democrats. It was announced on April 20, 1959 that Senator McCue would sponsor special legislation requiring a referendum on site locations for public housing in Charlottesville.³⁰⁰ The City Council also announced that it planned to oppose such legislation. The issue became one of two hotly contested questions in the election of the Charlottesville Delegate to the General Assembly.

²⁹⁸The Daily Progress, March 11, 1959, p. 1, col. 4.

²⁹⁹The Daily Progress, March 17, 1959, p. 13, col. 7.

³⁰⁰The Daily Progress, April 20, 1959, p. 13, col. 7.

William R. Hill, incumbent Delegate, announced on March 18, 1959 his intention to stand for reelection in the Democratic primary election. Harold M. Burrows, Jr., an investment broker, announced on April 14, 1959 that he intended to oppose Hill for the Delegate's seat in the Democratic primary election. Burrows was one of the parents who sponsored the second Venable opinion poll and became one of the charter members of CEF.

Hill spoke in favor of local option, freedom-of-choice pupil assignment plans during the primary election campaign. He strongly supported the continued maintenance of public schools. He also supported the Housing Authority sites and the City Council in the dispute with Senator McCue. Burrows emphasized private tuition-grant schools and their needed development. Toward the end of the campaign, he favored the continued maintenance of public schools, because they were needed to complement the private schools in the freedom-of-choice concept. Burrows supported Senator McCue's special bill on public housing and was openly critical of his opponent and City Council for not offering the voters some measure of latitude in the choice of housing sites. This latter issue seemed to be the deciding feature of the primary election for the Delegate's seat. Hill called the public housing issue a "smoke-screen" for the real issue:

". . . whether we shall have public schools or return to massive resistance."³⁰¹

The Democratic voters made their choice in the House of Delegates primary election on July 14, 1959. They nominated Burrows by a 2189-to-2108 vote. Interestingly, Senator McCue, unopposed for reelection, received only 2033 votes in the City. This suggested that Burrows was elected through McCue's support. It also suggested that those voters who supported Hill did not vote for McCue and were opposed to his special legislation.³⁰² The majority of voters turned out of office the Delegate who had spoken out in favor of local-option pupil assignments and had opposed McCue. The majority substituted a man who was a co-founder of private, tuition-grant schools for whites and a supporter of McCue.

The Committee for Public Education sponsored a public meeting at Lane High School on May 13, 1959. The speaker, Delegate Robert Whitehead, urged the four hundred present to "stick" with public schools and stated that they were the best choice in the future so far as the school crisis was concerned.³⁰³ A Venable School PTA meeting was held two evenings previously. The newly-elected President of the

³⁰¹The Daily Progress, July 1, 1959, p. 17, col. 6.

³⁰²The Daily Progress, July 15, 1959, p. 1, col. 8.

³⁰³The Daily Progress, May 14, 1959, p. 23, col. 6.

Venable School PTA told the membership that they must keep their children in Venable School in order to control desegregation.³⁰⁴

In the meantime, the CEF announced on May 15, 1959 that it had registered four hundred three pupils for the private high school program and two hundred eleven pupils for the private elementary school program. Most of those who were registered were from Lane High School or Venable Elementary School.³⁰⁵

The Parents' Committee for Emergency Schooling announced that it was contributing five hundred dollars to Venable School. The School Board approved an experimental French instruction program for pupils at Venable School, apparently in an effort to maintain interest in the school program. The Parents' Committee sought to support that effort. The funds it donated were escrow deposits that had been made to pay for possible damages from wear and use of private homes that were used for classes during the time Venable was closed. The parents whose homes were used chose not to charge the Parents' Committee for any repairs they found necessary in order that the funds could be used for instructional purposes at Venable School.³⁰⁶

³⁰⁴The Daily Progress, May 12, 1959, p. 11, col. 6.

³⁰⁵The Daily Progress, May 15, 1959, p. 13, col. 5.

³⁰⁶The Daily Progress, May 21, 1959, p. 21, col. 4.

An incident of a very serious nature occurred on May 25, 1959. Early that morning some person or persons parked an automobile on the street outside the residence of the President of the local branch of the NAACP. After a few minutes, a shot was fired from the automobile into the home of George R. Ferguson, the NAACP official. Fortunately, no one was injured. The incident was an isolated one. No arrests were made and the culprit, or culprits, remained unknown.³⁰⁷ It was announced within three days that Ferguson's daughter, Olivia, was prepared to receive her high school diploma. She was one of the original plaintiffs in the school desegregation suit in Charlottesville. Although not attending school for the first semester, she was able to complete the work of the senior year of high school in the tutoring program conducted at the School Board office.³⁰⁸

The CEF school staff began to take shape. On June 3, 1959, the CEF high school staff included a former public school principal from Appomattox, four teachers from Miller School, a private school in Albemarle County, and one teacher from Albemarle High School. The elementary staff included seven teachers from Venable School, one teacher from Johnson School, and one teacher from Greenwood School, an Albemarle County school. The CEF announced on June 23, 1959 that

³⁰⁷The Daily Progress, May 25, 1959, p. 13, col. 5.

³⁰⁸The Daily Progress, May 28, 1959, p. 17, col. 7.

school construction had begun on the private elementary school site. Three local contractors donated their services to dig foundations. The cost of the two sites was, according to the CEF, \$70,000 for the Rock Hill property and \$18,000 for the elementary school property on Westwood Road.³⁰⁹ The CEF issued \$100,000 in construction bonds for the Rock Hill Academy and \$50,000 in construction bonds for the Robert E. Lee Elementary School. The Foundation also confirmed that it planned a total tuition fee of two hundred fifty dollars for each pupil enrolled in the private school program. State tuition grants were expected to pay for two hundred thirty-four dollars of the total amount. Parents were expected to pay the additional sixteen dollars for each child enrolled in the program.³¹⁰

The School Board received a communication from the Virginia Pupil Placement Board on June 18, 1959. The State Board advised the School Board that the State Board had sole power under State law to assign pupils to schools. The members of the State Board were of the opinion that the State Board should receive all school assignment applications from the School Board in Charlottesville in order that the State Board could make such assignments. The School Board ordered

³⁰⁹The Daily Progress, June 23, 1959, p. 9, col. 1.

³¹⁰The Daily Progress, June 24, 1959, p. 17, col. 6.

the Superintendent to consult with its attorney and write an appropriate reply to the Pupil Placement Board.³¹¹

The City Council appointed Chester R. Babcock, editor of The Daily Progress, to the School Board on June 22, 1959. He succeeded R. Stanley Goodman, Jr., School Board Chairman, who had served a maximum period in office and had to retire from the School Board. City Council reappointed J. Harry Michael, an attorney, to the School Board.

The NAACP conducted a drive to organize additional applications from black pupils to be transferred to white schools. Raymond L. Bell, information director for the local branch of the NAACP, stated that he expected some applications prior to the deadline date of June 25, 1959. Twenty-nine black pupils applied for transfer on that date. All but two had applied on application forms supplied by the NAACP. Seventeen children applied for transfer to Venable Elementary School, three applied for transfer to Johnson Elementary School, and one child applied for transfer to McGuffey Elementary School. Eight high school pupils applied for transfer to Lane High School. Of those who applied for transfers to white elementary schools, two pupils lived outside the Jefferson Elementary School attendance area.³¹²

³¹¹Charlottesville, Virginia School Board Minutes, June 18, 1959, p. 2.

³¹²The Daily Progress, June 26, 1959, p. 1, col. 1.

The School Board replied to the Pupil Placement Board correspondence on June 30, 1959.³¹³ The School Board intended to cooperate with the State Board in every way possible under law and the decrees of the Federal District Court. The School Board also intended to send the recent applications of twenty-nine black pupils to the State Board with the applications of eleven black pupils who were denied transfers by Judge Paul.³¹⁴ The School Board then requested funds from the State to pay the cost for teachers at Lane and Venable during the time the schools were closed.

The School Board met in executive session on July 9, 1959 to consider the applications of the twenty-nine black pupils seeking transfer to white schools. The School Board directed the Superintendent to forward the twenty-nine applications with the recommendation of the School Board to the Pupil Placement Board in Richmond. Of the twenty-nine recommendations, the School Board recommended that one applicant be transferred to Lane High School. The remainder of the applicants were to remain at the black schools.³¹⁵

³¹³Charlottesville, Virginia School Board Minutes, June 30, 1959, p. 2.

³¹⁴The Daily Progress, July 3, 1959, p. 13, col. 2.

³¹⁵Charlottesville, Virginia School Board Minutes, July 9, 1959, p. 7.

The administration of Albemarle High School, in the meantime, cancelled the football game with Lane High School. Apparently, pressure was placed upon the administration of the school to cancel all further relationships because of the desegregation proceedings under way at Lane High School. The CEF attempted to schedule a Thanksgiving football game with Albemarle High School for Rock Hill Academy. The County school refused to cooperate with the CEF apparently in an effort not to be forced to take sides between the two schools in the City.³¹⁶

The School Board held a special meeting with Attorney Battle on August 13, 1959. The purpose of the meeting was to discuss future action in view of the rejection by the Pupil Placement Board of all twenty-nine black applications for school transfers. The School Board passed the following resolution offered by Babcock:

Resolved, That after reviewing the action of the Pupil Placement Board, it appears that it has made only one assignment contrary to the recommendations of this Board. The Superintendent is instructed to reexamine the facts as to that child and report his recommendations to a later meeting of this Board.³¹⁷

The Pupil Placement Board proceeded to demonstrate contempt for the orders of federal courts. On September 1,

³¹⁶The Daily Progress, July 9, 1959, p. 23, col. 7.

³¹⁷Charlottesville, Virginia School Board Minutes, August 13, 1959,

1959, the Pupil Placement Board denied approval of the transfer of the eleven black pupils ordered transferred by Judge Paul. Such action from the Pupil Placement Board came as no surprise. A Pupil Placement Board member, when questioned under oath about school assignments in a case in Norfolk, finally admitted: "I will have to answer you honestly. I would assign the white to the white and the colored to the colored."³¹⁸

The School Board met to determine what course to pursue. The School Board finally decided to direct the attorney for the School Board to seek a ruling from Judge Paul. The School Board wanted the Judge to give them direction in the conflict between U. S. District Court orders and directives of the Pupil Placement Board.³¹⁹

Judge Paul was not reluctant to give a quick response to the request of the School Board. He ordered twelve black pupils transferred to white schools on September 5, 1959. Nine were transferred to Venable Elementary School. Three were transferred to Lane High School, including one who was assigned originally by the School Board and denied transfer by the Pupil Placement Board. Judge Paul stated the following in directing the School Board to carry out his order:

³¹⁸The Daily Progress, August 28, 1959, p. 1, col. 1.

³¹⁹Charlottesville, Virginia School Board Minutes, September 2, 1959, p. 1.

This court and certainly the Court of Appeals are not going to tolerate for a minute the notion that they are going to be overridden by a letter from the Pupil Placement Board. The Pupil Placement Board action was without any validity whatsoever, and it was in direct violation of the Supreme Court order. I can only direct the School Board to go ahead with the desegregation plan as before.

.
As far as I can learn, the School Board has carried out the desegregation plan in good faith. . . .320

Prior to the beginning of the 1959-60 school year, action was taken on several curricula and organizational developments. A projected experiment with segregation by sex in the school program was abandoned. French was to be taught at Venable and Johnson Elementary Schools on an experimental basis. Spanish was to be taught at McGuffey Elementary School in the same manner. Lane High School was to participate as one of ten participating schools across the nation in an experimental School Mathematics Study Group (SMSG) geometry course.³²¹

The Charlottesville Education Association (white teachers) held a pre-school banquet. The gathering demonstrated the solidarity among all factions of public life surrounding the public schools in the white community. All members of the City Council and School Board and their wives

³²⁰The Daily Progress, September 5, 1959, p. 1, col. 8.

³²¹Ibid., p. 9, col. 6.

attended. In addition, Delegate Robert Whitehead, an ardent spokesman for public schools, and Dr. J. L. Blair Buck, President of the Virginia Committee for Public Education, and their wives were present. Mayor Michie, speaking briefly before the teachers, praised the teachers for their loyalty to public schools and their pupils. He said that such loyalty would carry the City through "trying times" that were ahead.³²²

The first day of desegregated schools in Charlottesville was September 8, 1959. The opening of schools was without incident. No great crowds gathered at the two schools. Newsmen were the only spectators. Police were on hand to direct traffic as curiosity seekers drove by in some numbers "to look." A few police cars patrolled in the general vicinity of Venable Elementary School and Lane High School. The day was peaceful. The only spectacle was that created by news cameramen who took pictures of the black pupils as they entered Venable Elementary School and Lane High School.³²³

³²²The Daily Progress, September 1, 1959, p. 11, col. 3.

³²³The Daily Progress, September 8, 1959, p. 1, col. 1.

Chapter 3

THE SECOND TIME PERIOD FROM SEPTEMBER 8, 1959 THROUGH AUGUST 31, 1965

Black pupils entered Venable Elementary School and Lane High School for the first time without incident on September 8, 1959. The enrollment at Venable Elementary School was four hundred forty-four compared with five hundred forty-one the preceding spring. Enrollment at Lane High School was placed at seven hundred twenty-five, down one hundred forty-four from the preceding spring. Those enrollments included nine black pupils at Venable Elementary School and three black pupils at Lane High School.¹

On September 10, 1959, the School Board made the first payment of Pupil Scholarships to parents or guardians of children attending private schools. Those payments were authorized by the Virginia State Board of Education under the tuition-grant law and were paid directly to eligible parents or guardians.² The pupil scholarships were for a total amount of \$234.33 to be made in two equal payments.

¹Charlottesville, Virginia The Daily Progress, September 8, 1959, p. 1, col. 1.

²Charlottesville, Virginia School Board Minutes, September 10, 1959, p. 4.

One payment was to be made each school semester. Those payments then were given by parents or guardians to operators of private schools attended by the children of the parents. The CEF began school operation with three hundred forty-five enrolled at the high school, Rock Hill Academy. One hundred ninety were enrolled at Robert E. Lee Elementary School.³

In the meantime, the City Council was pressed to make the quarterly budget appropriation to expedite the payment of the pupil scholarships to eligible parents or guardians. The CEF, in particular, needed money to begin to pay operational expenses. The CEF did not have sufficient funds to meet those expenses without the State pupil scholarship funds. City Manager James E. Bowen, Jr. estimated that the scholarships might cost the City taxpayers \$100,000 and cause a tax increase in the future. He said that the need for a tax increase to pay for the pupil scholarships was "one thing that has been overlooked by a lot of people."⁴ On September 28, 1959, City Council voted to appropriate additional funds to cover the cost of the pupil scholarship program.⁵ The first payment of pupil scholarship funds was made by the School Board at a special meeting that day.

³The Daily Progress, September 12, 1959, p. 1, col. 1.

⁴The Daily Progress, September 24, 1959, p. 1, col. 1.

⁵Charlottesville, Virginia City Council Minutes, September 28, 1959, Minute Book J, pp. 367-368.

Representatives for the General Assembly were elected on November 3, 1959. Senator McCue was reelected easily. Burrows was elected to the Charlottesville seat in the House of Delegates. A few write-in votes were cast for Hill and Michie.⁶ Some weeks before, McCue attempted to build some interest by accusing the NAACP of mounting a write-in campaign against Burrows and him. Those who received write-in votes were Hill and Michie. The NAACP denied any such effort.⁷ Apparently, some voters thought it was a good idea.

The Defenders of State Sovereignty and Individual Liberties continued its efforts. The Defenders not only contributed the initiative for organizing many of the tuition-grant schools, but also maintained a barrage of criticism aimed at the Governor.⁸ The Defenders sponsored a meeting of the Crusaders for Constitutional Government at the Albemarle County courthouse on December 13, 1959 in which seventy-five persons attended. The sales tax program proposed by Governor Almond was attacked, as well as the Governor's record on school desegregation, i.e., his failure to maintain segregated schools.⁹

⁶The Daily Progress, November 4, 1959, p. 17, col. 7.

⁷The Daily Progress, October 21, 1959, p. 17, col. 1.

⁸Benjamin Muse, Virginia's Massive Resistance (Bloomington: Indiana University Press, 1961), p. 55.

⁹The Daily Progress, December 14, 1959, p. 17, col. 5.

The City Council primary election campaign was held during the spring of 1960. The voters were to elect three of the five Council members. Bernard J. Haggerty and Lindsay B. Mount announced that they would be candidates. On January 30, 1960, they announced that they supported freedom-of-choice.¹⁰ M. A. Cohen, Carl B. Dean, and S. Dexter Forbes announced that they would run as a slate. They were supported by Senator McCue and Delegate Burrows. In addition, Clayton Coleman ran for reelection. R. M. Davis and Sol B. Weinberg chose not to run for reelection.

Die-hard segregationists in the General Assembly introduced another nullification bill on the floor of the House of Delegates during February, 1960. Burrows was one of the patrons of the bill.¹¹ His position was difficult to resolve. He was a staunch supporter, indeed a charter member, of the CEF which grew out of freedom-of-choice policies. Freedom-of-choice necessitated a public school system and a private, tuition-grant school system. Interposition, or placing the authority of the State between the federal courts and the operation of the public schools, closed the public schools for all practical purposes. With no public schools, there was no freedom-of-choice.

¹⁰The Daily Progress, January 30, 1960, p. 11, col. 5.

¹¹The Daily Progress, February 11, 1960, p. 17, col. 1.

Burrows, like his mentor, Senator McCue, sponsored bills which applied only to Charlottesville. One bill required that the Charlottesville School Board submit all applications for pupil transfer to the State Pupil Placement Board for the following two years.¹² Such legislation provided continued harassment for school boards which were attempting to obey court orders for desegregation of schools.

The City government announced that the long-planned annexation suit against Albemarle County was about to begin. The School Board announced that an elementary school site would be sought on the Northwest side of the City, because the school children who were to be brought into the City school system would overcrowd existing elementary schools. The site selected would be in the area of greatest suburban growth.¹³ The School Board planned to build a new elementary school on the new site for those school children in grades one through seven who resided in the area to the Northwest of the City which was to be annexed. Other portions of the County that were to be annexed by the City would be absorbed into the adjacent City school attendance areas.¹⁴

In the meantime, a black announced his candidacy for City Council in the Democratic primary election. He attempted

¹²The Daily Progress, February 24, 1960, p. 1, col. 2.

¹³The Daily Progress, February 16, 1960, p. 13, col. 5.

¹⁴The Daily Progress, March 15, 1960, p. 1, col. 1 and March 21, 1960, p. 13 (Map).

to gain support from moderate whites as well as from blacks when he stated that as far as he was concerned the school situation in Charlottesville was "good."¹⁵ The Human Relations Council heard a black businessman from Washington, D. C. tell them that the inability of the black to earn a respectable wage was the chief problem. According to the speaker, if the black could earn a living, housing and all the other objectives of civil-rights protests would come automatically.¹⁶

Coleman was defeated for reelection in the City Council Democratic primary election held on April 5, 1960. Haggerty and Mount, running as a team and supporting the City public housing program and freedom-of-choice in educational matters, were nominated. S. Dexter Forbes, one of a three-man slate running with the support of Senator McCue, also was nominated in the primary. The black candidate finished seventh in a field of seven with a record turnout of voters in a Democratic primary election for City Council.¹⁷

Support for the two CEF schools continued to be received, even though internal conflict seemed to develop between the lay leadership and the professional educators employed to operate the two schools. Two CEF administrators

¹⁵The Daily Progress, March 16, 1960, p. 13, col. 6.

¹⁶The Daily Progress, March 25, 1960, p. 13, col. 6.

¹⁷The Daily Progress, April 6, 1960, p. 1, col. 7.

were discharged. The CEF lay leadership alluded to incompetence of the two.¹⁸ A presence of respectability was maintained by the CEF by having William J. Story, the Superintendent of South Norfolk City Schools and a member of the State Board of Education, come to Charlottesville to evaluate CEF operations. Story was an outspoken advocate for the Defenders and an avowed segregationist. Story stated that the two schools were good educational institutions. City Manager Bowen lent support by saying: "The schools, by relieving pressures brought on by the desegregation suit, have tended to eliminate any violence that might have occurred in Charlottesville."¹⁹

A delegation from the NAACP appeared before the School Board at the regular meeting on May 12, 1960. The NAACP requested that the School Board enter into a program for complete desegregation of the City schools for the coming school year.²⁰ The School Board was told the following in a letter from the President of the NAACP:

For the school year 1959-60, you not only did not institute a system of general desegregation of the public schools, but you arbitrarily required many students to attend segregated schools who actively sought transfers.

¹⁸The Daily Progress, March 26, 1960, p. 1, col. 5.

¹⁹The Daily Progress, April 9, 1960, p. 1, col. 4.

²⁰Charlottesville, Virginia School Board Minutes, May 12, 1960, p. 1.

This practice was not in keeping with the plan presented to the United States Court of Appeals for the Fourth Circuit and approved by Judge Paul. We are aware that the reason advanced to justify this variance was that it was the opinion of the school authorities that the initial effort toward desegregation should be on a limited basis.

We are now approaching a new school year and, being keenly conscious of the tendency of public officials generally to interpret non-action by Negroes as registering satisfaction with the status quo, we wish seasonably to advise you that, although Negro parents reluctantly went along with your decision of last year, they were and are in nowise satisfied.²¹

The School Board asked the Superintendent to reply to the letter from the NAACP President. The Superintendent informed him that future pupil assignments would be made in accordance with the desegregation plan adopted by the School Board on February 18, 1959.²²

The NAACP initiated action to motivate parents to seek transfers for their children from the two black schools to predominately-white or white public schools. A meeting of the NAACP membership was called for June 2, 1960. George R. Ferguson, past-President and Chairman of the Legal Redress Committee, sent a letter to the membership which is quoted below:

Many of our parents have not shown the moral courage or the interest that he owes his child in pushing for more desegregation. This is regrettable and unfortunate.

²¹The Daily Progress, May 13, 1960, p. 1, col. 6.

²²Charlottesville, Virginia School Board Minutes, May 12, 1960, p. 6.

For how can we as Negro parents give our children the opportunities and advantages as those of white children when we show we are timid, afraid, and satisfied with our present plight?

For how can we as Negro parents expect our children to achieve success in life if we ourselves set such poor examples?

Do our young people have to take the initiative to fight for their rights as they have shown in the sit-in movement? Do they have to show the white man that they are not afraid?

Certainly, now is the time for action, and that time is fast running out. The colored man has awakened all over the world, and he is fighting for his God-given freedoms.

To do less here in Charlottesville will prove tragic and inexcusable.²³

The NAACP released no information about the results of the meeting. Raymond L. Bell, Press and Publicity Chairman for the NAACP, said that it would be premature for any statements to be made until after the pupil assignments were announced.²⁴

The School Board met for a regular meeting on June 9, 1960. Mrs. Ida J. Lewis, President of the Jefferson Elementary School PTA (Black), spoke to the School Board about the need for a compulsory attendance law. She requested that the School Board take the necessary steps to bring the Charlottesville Public Schools under the State Compulsory Attendance Law for the coming school session.²⁵

²³The Daily Progress, June 2, 1960, p. 25, col. 5.

²⁴Ibid.

²⁵Charlottesville, Virginia School Board Minutes, June 9, 1960, p. 2.

In executive session, the Superintendent reported to the School Board concerning pupil assignments to Venable Elementary School and Lane High School. He announced that two black pupils were being assigned to the first grade at Venable. Assigned to the eighth grade at Lane were two black pupils.²⁶ Two black pupils were assigned from the Venable seventh grade to the eighth grade at Burley High School (Black). Desegregation in Charlottesville was placed at eight black pupils at Venable and five black pupils at Lane.²⁷

Several assignment appeals were made to the Superintendent prior to June 14, 1960 by black parents. The School Board held a special meeting on June 27, 1960 to discuss the appeals. The School Board approved the reassignment of five additional black pupils to Venable Elementary School in executive session. Two more black pupils were reassigned to Lane High School.²⁸ The School Board denied transfers for eleven other black pupils. The numbers of black pupils in formerly-white schools were now thirteen at Venable and seven at Lane.²⁹

²⁶Ibid., p. 4.

²⁷The Daily Progress, June 11, 1960, p. 1, col. 1.

²⁸Charlottesville, Virginia School Board Minutes, June 27, 1960, pp. 1-2.

²⁹The Daily Progress, June 28, 1960, p. 11, col. 7.

The general election was held on June 14, 1960, and a majority of the voters approved a proposal for the construction of public housing. The two Democrats who supported the public housing referendum, Haggerty and Mount, were elected to City Council. The Democrat who opposed public housing was defeated by a Republican, Robert E. Lee, who supported public housing.³⁰

It was announced on June 18, 1960 that the City was prepared to purchase a school site on the Northwest side of the City. The site selected was in an area known as Greenbrier. Greenbrier was in the area which the City was seeking to annex. The purchase price for the ten-acre site was \$55,000.³¹

The NAACP followed the reassignment appeals of black parents to the School Board by initiating another suit, Dodson v. School Board of the City of Charlottesville, in federal court. The plaintiffs asked the court for total desegregation of the Charlottesville Public Schools. Nine pupils asked that their school assignments be reviewed. In addition to seven pupils seeking transfer to Venable Elementary School and Lane High School, the two daughters of the NAACP President, Eugene Williams, Jr., asked to be transferred to Johnson Elementary School. Thus, Johnson Elementary

³⁰The Daily Progress, June 15, 1960, p. 1, col. 8.

³¹The Daily Progress, June 18, 1960, p. 1, col. 8.

School became the object of desegregation efforts for the first time. The plaintiffs requested that the court again examine ". . . the desegregation plan presently in effect in Charlottesville."³² Apparently, the plaintiffs wished the court to take action which would bring total desegregation to the City schools.

Judge Paul began hearing the case on August 8, 1960. The hearing began with the Superintendent of Schools being called upon to explain the manner in which desegregation plans were applied in Charlottesville. The NAACP attorney attacked the testing required of black applicants to Lane High School. The testing program was described by the NAACP attorney as an harassment technique. Judge Paul was sympathetic to the School Board. He asked whether or not the test would be applied to whites seeking transfers to Burley High School. Williams was called to the witness stand by the NAACP attorney. He explained that he wanted his children to go to college. It was his belief that Lane High School offered the best preparation for the college-bound pupils. He thought that the program at Jefferson Elementary School did not prepare pupils for the kind of work required of them at Lane. He sought to have his children transferred to Johnson Elementary School for that reason.³³

³²Dodson v. School Board of the City of Charlottesville, 289 F. 2d 439 (1961).

³³The Daily Progress, August 9, 1960, p. 11, col. 5.

Judge Paul ruled in favor of the School Board on August 16, 1960. He ruled that the desegregation plan was not discriminatory and rejected the pleas of the black plaintiffs for transfers to other schools in the City.³⁴ The NAACP and the black parents appealed the ruling to the U. S. Fourth Circuit Court of Appeals.³⁵

The issue was discussed in an editorial in The Daily Progress on September 3, 1960. The editorial, in part, is quoted as follows:

The issue locally, it should be noted, is no longer one of segregation vs. desegregation, but rather of the authority of the School Board and its Superintendent to operate the schools in orderly fashion and in the best educational interests of the pupils who attend them. Judge Paul has said they have the authority and that in their exercise of it they have not violated his decree forbidding racial discrimination. It seems unlikely that the Circuit Court, which gave original approval to the plan in effect here, will rule otherwise.³⁶

The public schools of Charlottesville opened on September 5, 1960 for the 1960-61 session. The future for public schools in Charlottesville appeared to be bright because pupil enrollment increased at both Venable Elementary School and Lane High School. At Venable, the enrollment was placed at four hundred forty-four an increase of forty-four. Lane

³⁴The Daily Progress, August 16, 1960, p. 3, col. 1.

³⁵The Daily Progress, August 31, 1960, p. 1, col. 1.

³⁶Editorial, The Daily Progress, September 3, 1960, p. 4, col. 1.

enrollment was nine hundred six, an increase of one hundred eighty-one.

The Superintendent of Schools worked with the School Board and City Council to determine the amount provided for each freedom-of-choice pupil scholarship for 1960-61. It was decided that the per-pupil cost for instruction would be the amount each child would receive. City Council voted to establish the pupil scholarship at \$280.27 per child.³⁷

The CEF announced that the anticipated enrollment was six hundred thirty-seven for both CEF schools. This figure compared with five hundred one for the previous year. Some Albemarle County pupils were enrolled in each of the CEF schools.³⁸

One of the judges in the Federal District Court for Western Virginia died, leaving a vacancy. Judge Paul had retired, but retained jurisdiction in the Charlottesville desegregation proceedings. The replacement for Judge Paul resided in Radford in the Southwestern part of Virginia. Charlottesville was a desirable location for a federal judgeship to provide a geographical balance in the U. S. District Court. On December 22, 1960, there was speculation that Thomas J. Michie, Sr., City Council member and former-Mayor of Charlottesville, was a possible choice for the vacant

³⁷The Daily Progress, September 16, 1960, p. 13, col. 5.

³⁸Ibid.

federal judgeship.³⁹ Several months later, President John F. Kennedy nominated Michie for the judgeship. Michie then resigned his position on City Council and dissolved his law partnership to accept the nomination.

The need for a compulsory attendance law in Charlottesville was discussed at the regular meeting of the School Board on October 13, 1960. The focus of concern centered around attendance at Jefferson Elementary School. The School Board directed the Superintendent to seek opinions from the State Superintendent of Public Instruction and the School Board attorney about the responsibility of the School Board in the assignment of a pupil to Jefferson School whose parents conscientiously objected to sending their child to that school.⁴⁰

The CEF announced during April, 1960 that it would conduct a fund-raising campaign to collect \$250,000 to pay off mortgages and notes encountered for construction of school buildings. The CEF announced on December 30, 1960 that \$202,000 was raised, including an anonymous gift of \$20,000 from out-of-State.⁴¹ The CEF announced later that it would need an additional \$50,000 to build a four-classroom

³⁹The Daily Progress, December 22, 1960, p. 17, col. 6.

⁴⁰Charlottesville, Virginia School Board Minutes, October 13, 1960, p. 3.

⁴¹The Daily Progress, December 30, 1960, p. 11, col. 1.

addition at Robert E. Lee Elementary School. At the same time, the CEF announced that William J. Story, who previously evaluated the CEF schools, planned to move to Charlottesville to take charge of all CEF school operations.⁴²

The Superintendent reported on the status of the case, Dodson v. School Board of the City of Charlottesville, at the regular meeting of the School Board on January 12, 1961. He informed the School Board that the hearing of the appeal was scheduled to be held on January 30, 1961 before the United States Court of Appeals for the Fourth Circuit in Richmond.⁴³

S. W. Tucker stated in his argument before the court on January 20 that the School Board was using the desegregation plan to reduce the number of black pupils accepted into schools other than those attended by blacks. He further stated that the plan was designed to perpetuate segregated schools. Battle argued that the School Board was not discriminating against any pupil because of race. He indicated that the School Board had made several transfers of black pupils to formerly-white schools. Black pupils who were denied transfers were found either to live closer to the schools to which they were assigned, or not to score sufficiently high on the achievement tests to be placed in school

⁴²The Daily Progress, January 13, 1961, p. 13, col. 5.

⁴³Charlottesville, Virginia School Board Minutes, January 12, 1961, p. 3.

programs comparable to those of pupils in the school to which they wished to be transferred. The Court decided not to render an immediate decision. The case was taken under advisement and continued.⁴⁴

Eugene Williams, Jr. spoke before the local Human Relations Council on February 23, 1961. He emphasized the apparent willingness in Charlottesville to accept school desegregation and amplified the need of blacks for equal educational opportunity as follows:

No other Southern city has accepted desegregation as well as Charlottesville has.

Schools are by far the most important thing to be won . . . if schools are desegregated, equal opportunity for Negroes in other fields will come. . . . if schools aren't desegregated, the Negro will still be handicapped even if jobs and other privileges are won.⁴⁵

C. Armonde Paxon, a local attorney, announced on February 8, 1961 his intention to run for the Charlottesville seat in the House of Delegates. He said that he was concerned about the divisiveness that had developed in the City.⁴⁶ His comments seemed to be aimed deliberately at Burrows, the incumbent Delegate. Burrows had followed the pattern of Senator McCue and had attempted to have legislation passed which would hamper the City Council. After six

⁴⁴Dodson v. School Board, Ibid.

⁴⁵The Daily Progress, February 24, 1961, p. 13, col. 6.

⁴⁶The Daily Progress, February 8, 1961, p. 1, col. 1.

weeks, Burrows decided to move to Albemarle County and removed his name from the City Democratic primary election list of candidates for the House of Delegates.⁴⁷

In the meantime, the League of Women Voters became concerned about public outlays of money for private schools. The League announced on April 10, 1961 that it was concerned that City Council was appropriating more money for private schools than that which was prescribed by the Virginia State Board of Education. The League wanted to know why City Council appropriated more than that amount. These questions were asked at the City Council meeting held on April 10, 1961. Reverend E. D. McCreary, Minister of the Ebenezer Baptist Church, also spoke against the principle of tuition grants.⁴⁸ The City Council took no action.

The U. S. Circuit Court of Appeals for the Fourth Circuit announced the decision in the Dodson case on April 14, 1961. The court found grounds to criticize the application of the desegregation plan of the School Board but announced that the court would not overrule the plan at that time. The court declared that it would have ruled the plan out of order, except that the School Board did not defend the plan as a permanent one. The court also noted that a large proportion of the assignments of black pupils to

⁴⁷The Daily Progress, March 27, 1961, p. 1, col. 1.

⁴⁸The Daily Progress, April 11, 1961, p. 13, col. 5.

formerly-white schools was achieved upon the initiative of the School Board. The court allowed the assignment plan to continue in operation based upon what the court considered the good faith of the School Board in complying with school desegregation as required by law.⁴⁹

The School Board held a series of private meetings during June, 1961 to discuss pupil assignments for the coming year. The School Board discussed on June 6 the status of elementary-grade pupils who lived outside the Jefferson Elementary School attendance area. The School Board discussed the status of the seventh graders at Jefferson School. Another point of discussion was the number of parents who requested school transfers for their children on forms furnished by the NAACP. The result of the discussions was the granting of transfers to Venable Elementary School for eight of forty-four black pupils who applied.⁵⁰

The School Board met on June 8 in executive session to hear the recommendations of the Superintendent of Schools concerning pupil assignments for the coming school year. It was announced later that the School Board had transferred eight black pupils to Venable Elementary School and six black pupils to Lane High School. These assignments brought the

⁴⁹Dodson v. School Board, Ibid.

⁵⁰Charlottesville, Virginia School Board Minutes, June 6, 1961, p. 5.

total black enrollment at Venable to nineteen and the total black enrollment at Lane to twelve.⁵¹

On July 18, 1961, the School Board approved the additional transfer of one black pupil to Venable Elementary School and three black pupils to Lane High School. The total black enrollment at Venable stood at twenty pupils. The total black enrollment at Lane was sixteen.⁵²

Blacks in Charlottesville had announced, early in June, a desire for black representation on the governing bodies in the City. Spokesmen for the NAACP said it was time to have a black on the School Board.⁵³ A group calling itself the Charlottesville Citizens Committee, composed of black citizens, offered the names of four blacks who might be considered as possible candidates for the City Council seat vacated by the resignation of Judge Michie. The City Council took no action on the request.

The President of the local chapter of the NAACP expressed disappointment with the action of the School Board. At a meeting held on June 20, 1961 at the Mt. Zion Baptist Church (Black), he stated the following:

We have given the School Board seven years to face up to the 1954 Supreme Court decision, and they are trying to buy 93 more years.

⁵¹The Daily Progress, June 10, 1961, p. 9, col. 7.

⁵²Charlottesville, Virginia School Board Minutes, July 18, 1961, p. 2.

⁵³The Daily Progress, July 6, 1961, p. 21, col. 2.

You can be assured when the NAACP is satisfied with the school assignments, everyone else will be satisfied with them too, regardless of race, color, or creed. And those who are not satisfied with them will not be able to do anything about it.

Had the City Council considered a Negro for the School Board, possibly we would have given the integrated board a chance to prove its good faith. Up to this date we know a lot about the "lily white" Board, and it needs no more time.⁵⁴

Another school year began in Charlottesville on September 6, 1961. Two schools were desegregated. According to the local press, the opening of school was uneventful.⁵⁵

The NAACP initiated another suit, Allen v. School Board of the City of Charlottesville, Va., on September 14, 1961. The parents of twenty-five black pupils appealed their children's school assignments directly to Judge Paul.⁵⁶ John S. Battle, Jr., attorney for the School Board, asked the court not to hear the pleas of ten of the pupils, because they were plaintiffs in the original case brought before the court. Battle said that the court should declare them to be habitual complainers and not hear them. Additionally, Battle stated that it "seems a little peculiar that the Charlottesville School Board is being constantly harassed in court." He thought that this was peculiar because the record of Charlottesville on school desegregation showed that the City had

⁵⁴The Daily Progress, July 21, 1961, p. 17, col. 8.

⁵⁵The Daily Progress, September 6, 1961, p. 13, col. 1.

⁵⁶Allen v. School Board of the City of Charlottesville, Va., 203 F. Supp. 225 (1961).

a higher percentage of desegregation than any other city in the South.⁵⁷ Judge Paul did not respond to Battle's latter comment. He ruled that he would hear all twenty-five plaintiffs.

City Council increased the pupil scholarship later that month for City residents attending private non-sectarian schools in the City so that the pupil scholarship equaled the per-pupil cost of City public school operation. That is, it set the scholarship at \$312.39 for each City resident who attended private non-sectarian schools located inside the City limits of Charlottesville. All others attending non-sectarian schools, public or private, outside the City, were awarded a scholarship for \$275.00 for high school pupils and \$250.00 for elementary school pupils. This was exactly the amount upon which State reimbursement was calculated. City Council, therefore, gave an additional subsidy to private non-sectarian schools located in the City.⁵⁸

Judge Paul heard the opening pleas on the desegregation suit on October 23, 1961. Responding to questions from the School Board attorney, the Principal of Jefferson Elementary School, Booker T. Reaves, said that he did not know of any pupil in that school who would be in a better situation

⁵⁷The Daily Progress, September 14, 1961, p. 13, col. 7.

⁵⁸The Daily Progress, September 23, 1961, p. 11, col. 6.

if he transferred to another school in the City. He also stated that he knew of no pupils in the school, other than those twenty-five engaged in the present suit, who wished to transfer to another school.⁵⁹ On the following day, the Superintendent of Schools said before the court that he had not denied consciously any black transfer to a school because of race.⁶⁰

On the previous evening, Superintendent of Schools Ellis brought to the attention of the School Board a matter concerning extra curricular activities at Lane High School. W. I. Nickels, Jr., Principal at Lane High School, had informed Ellis about a development regarding the Homecoming Dance which was scheduled to be held in the Lane gymnasium. It appeared that four black girls at Lane asked for invitations in order that their escorts might accompany them to the dance. The School Board discontinued all dances sponsored by the school, or groups affiliated with the school. Roscoe S. Adams, Sr., Chairman of the School Board, stated that activities not essential to the school program should be abandoned if they were ". . . offensive to any considerable number of patrons of the schools."⁶¹

⁵⁹The Daily Progress, October 23, 1961, p. 1, col. 2.

⁶⁰The Daily Progress, October 24, 1961, p. 1, col. 1.

⁶¹The Daily Progress, October 23, 1961, p. 13, col. 5.

The Lane High School pupils protested the action. They issued the following statement:

The School Board has failed to justify this action, so we must regard it as an unsubstantiated, arbitrary decision infringing upon the rights of every student.⁶²

The School Board did not change its decision. The pupils withdrew the statement the next afternoon.⁶³

Judge Paul came to some preliminary conclusions on October 25, after reviewing all the evidence placed before him in the Allen case. According to The Daily Progress, he said that the desegregation plan was administered improperly. According to the Judge, any plan had to be administered impartially to white and black pupils.⁶⁴

The preliminary comments of the Judge were accepted by the School Board with some measure of reserve. The School Board determined that it would do nothing until so ordered by Judge Paul. Mayor Louis L. Scribner said that the City certainly would consent to an appeal if this were the desire of the School Board.⁶⁵

Judge Paul sent an informal communication to the School Board on November 20, 1961. The Judge upheld the manner in which elementary school desegregation was being

⁶²The Daily Progress, October 24, 1961, p. 13, col. 5.

⁶³The Daily Progress, October 25, 1961, p. B-1, col. 8.

⁶⁴Ibid., p. 1, col. 2.

⁶⁵The Daily Progress, October 26, 1961, p. 19, col. 4.

administered. He ruled in favor of the plaintiffs at the high school level where those assignments of black pupils were restricted by either academic or residence requirements.

The ruling of Judge Paul permitted the immediate transfer of eight additional black pupils to Lane High School. The ruling permitted the elementary school assignment plan to remain in operation. Judge Paul commented on the plan as follows:

It is obvious that this procedure falls far short of any complete or enforced integration of the school system. In fact, it contemplates that there should be no compulsory integration. Nevertheless, the court feels that it is permissible and is not discriminatory. . . .⁶⁶

The School Board attorney, Battle, indicated the concern of the School Board. He said: "This isn't as devastating as we had feared at first. . . ."⁶⁷

The Superintendent requested that Mrs. Ora Lee Starnes, Principal of McGuffey Elementary School, appear before the School Board on October 12, 1961. Mrs. Starnes outlined the attendance problems of certain pupils at her school. The Principal stated that most of the attendance problems were attributed to the lack of a compulsory attendance law.⁶⁸ Poor school attendance on the parts of some

⁶⁶Allen v. School Board, Ibid.

⁶⁷The Daily Progress, November 21, 1961, p. 15, col. 2.

⁶⁸Charlottesville, Virginia School Board Minutes, October 12, 1961, p. 3.

pupils was causing a hardship on the public schools. It appeared to the school administration to be desirable that the School Board reconsider the action which dropped the compulsory attendance law when the public schools first were desegregated.

The League of Women Voters sent a delegation to the School Board on November 9, 1961. The delegation urged the School Board to place Charlottesville Public Schools under the provisions of the State Compulsory Attendance Law. The President of the PTA Council of Charlottesville, P. J. Dudley, also made the same request. The Chairman of the School Board advised both that the School Board knew of the need for such action and planned to make such a recommendation to City Council as soon as legal circumstances permitted.⁶⁹

City Council decided to revise the pupil-scholarship payments on November 21, 1961. The program was revised so that each pupil eligible received \$312.39 regardless of the location of the private, non-sectarian school attended. City Council formerly ruled that reduced scholarship grants be paid to those attending schools outside the City limits. Mrs. Virginia J. Carrington, speaking for the NAACP, noted that there was strong opposition to tuition grants from her

⁶⁹Charlottesville, Virginia School Board Minutes, November 9, 1961, p. 2.

organization.⁷⁰

The School Board and the NAACP received formal notice of Judge Paul's decision in the Allen case on December 19, 1961. The School Board announced that it would appeal the ruling on the high school plan. The NAACP announced that it would appeal the ruling on the elementary school plan. Both appeals went to the U. S. Court of Appeals for the Fourth Circuit. Judge Paul's order transferring the eight black pupils involved in the case to Lane High School was stayed pending the appeal.⁷¹

The Lane High School PTA met on January 15, 1962. A discussion of the restriction against dances held on school property, or under school sponsorship was on the agenda. Arthur A. Welch, President of the Lane PTA, appeared before the School Board only four days before and asked the School Board to reconsider the action on dances. The consensus of the parents attending the PTA meeting was that they preferred that their children attend dances held at Lane rather than to organize private social activities. A vote was taken of the membership, and only three parents voted against removing the dance restrictions.⁷²

⁷⁰Charlottesville, Virginia City Council Minutes, November 20, 1961, Minute Book K, p. 38.

⁷¹The Daily Progress, December 19, 1961, p. 13, col. 6.

⁷²The Daily Progress, January 16, 1962, p. 11, col. 8.

The School Board received a report on October 12, 1961 from J. L. Lancaster of the Bureau of Population and Economic Research at the University of Virginia. A pupil population of 4934 whites and 1222 blacks was recorded in 1959. A population of 6619 white pupils and 1642 black pupils by 1970 was projected in the report.⁷³ The implications of the increased growth in school population meant that additional classroom space was needed. It was announced on January 31, 1962 that a committee had been formed to study school building needs in Charlottesville and to make recommendations for additional space. That committee was composed of a Superintendent of Schools, the Dean of the School of Education at the University of Virginia, a Professor of Education, and three staff members of the Virginia State Department of Education.⁷⁴

J. Earl Barnett announced on January 4, 1962 that he was a candidate for a place on the Democratic ticket in the City Council election. Two seats were contested: those held by John R. Ponton and Louis L. Scribner. Barnett announced that he favored the appointment of a black to the School Board.⁷⁵ The next day City Councilman Ponton said he

⁷³Charlottesville, Virginia School Board Minutes, October 12, 1961, p. 4.

⁷⁴The Daily Progress, January 31, 1962, p. 19, col. 6.

⁷⁵The Daily Progress, March 29, 1962, p. 25, col. 1.

would appoint a black to the School Board if he met the high standards necessary to be a member of the School Board. The weekly black press supported Ponton and Scribner for reelection. Those two were renominated in the primary on April 3, 1962. Just a few weeks after the primary election, the black press ceased to support Ponton when he nominated a white to a vacancy on the School Board.⁷⁶ Ponton and Scribner were reelected to City Council over a Republican candidate, Theodore M. Early, in a relatively quiet general election on June 13, 1962.

The NAACP continued to keep pressure on the School Board. The NAACP held a victory rally on May 13, 1962 to close out a successful membership drive. Speaking before the rally, Eugene Williams, Jr. said the following:

You should know that every Negro student is entitled to attend Lane just as every white student is. Anything less than this is discrimination.

If you fail to see that your child attends Lane, you fail to see that he gets the best education available in Charlottesville.

The Superintendent of city schools was forced to admit in court last fall that Lane is more of a college preparatory school than Burley--and this is no reflection on the teachers at Burley.⁷⁷

The School Board announced that it had transferred eight additional black pupils to Venable Elementary School and Lane High School. One black pupil was promoted from

⁷⁶The Daily Progress, April 20, 1962, p. 13, col. 5.

⁷⁷The Daily Progress, May 14, 1962, p. 13, col. 1.

Venable to Lane. The transfers were one black pupil to Venable and nine black pupils to Lane. The total black enrollment at Venable remained at twenty. The black enrollment at Lane increased from seventeen to twenty-six.⁷⁸

The U. S. Court of Appeals for the Fourth Circuit met in Asheville, North Carolina on June 12, 1962 to hear the Charlottesville appeals case, now identified as Dillard v. School Board of the City of Charlottesville, Va. Chief Judge Simon E. Sobeloff announced that he was dubious of the desegregation plan in current use in Charlottesville.⁷⁹

In the meantime, a debate developed in Charlottesville as a result of school assignments. In the absence of the Superintendent of Schools, the Administrative Assistant, John M. Dunnavant, Jr., told the School Board on June 14, 1962 that all requests of black pupils for school transfers were granted. This statement came, apparently, as a result of a School Board query about the few appeals of assignments made by black parents or pupils.⁸⁰ Eugene Williams, Jr. retorted on June 16, 1962 that the statement made to the School Board by Dunnavant was untrue because any black pupil living in Jefferson district was denied transfer to another school

⁷⁸Charlottesville, Virginia School Board News Release, June 9, 1962. (Mimeographed).

⁷⁹The Daily Progress, June 13, 1962, p. 17, col. 7.

⁸⁰The Daily Progress, June 15, 1962, p. 13, col. 5.

of his choice. Williams continued as follows:

Moreover, the whole school assignment plan is still unfair. Up to this time the School Board has not shown good faith in seeing that more than 1200 Negro boys and girls receive a non-discriminatory education.⁸¹

On June 18, 1962, the City Council appointed Dr. W. Copley McLean to the School Board. R. E. Lee, the only Republican on the City Council, nominated Dr. Bernard A. Coles, a black dentist and former City Council candidate, for the position. The nomination received no second. Lee commented on the need for a black on the School Board, especially because of the suspicions aroused among the black community because of the number of closed meetings held by the School Board.⁸²

The School Board met on June 29, 1962 to consider the recommendations from the building committee. A question was raised about the implications of the desegregation appeals now before the courts. The School Board attorney stated that any building recommendations would be influenced undoubtedly by the decision of the court, and any action on a building program should await that decision. Battle was of the opinion that construction of a new high school in the

⁸¹The Daily Progress, June 16, 1962, p. 11, col. 6.

⁸²Charlottesville, Virginia City Council Minutes, June 18, 1962, Minute Book K, p. 82.

Northwest section of the City might serve to complicate further questions before the court.⁸³

All five judges of the U. S. Court of Appeals for the Fourth Circuit heard the Charlottesville appeals in Richmond on July 9, 1962.⁸⁴ It appeared the five judges were sitting on the Dillard case of their own volition because some disagreement about the case developed among them.⁸⁵

The attorney for the School Board argued that the School Board was indeed making assignments in good faith and that there was no evidence to the contrary. He said that only one of seventeen blacks presently attending Lane High School was transferred to that school by court order. Of twenty black pupils attending Venable Elementary School, only three were assigned by court order.⁸⁶

S. W. Tucker, attorney for the black parents and pupils, charged that the School Board had not fulfilled its responsibility to desegregate the public schools in Charlottesville. He charged further that desegregation occurred in Charlottesville only when the School Board was forced. He said: "The truth about the matter is that at every step

⁸³The Daily Progress, June 30, 1962, p. 13, col. 7.

⁸⁴Dillard v. School Board of the City of Charlottesville, Va., 308 F. 2d 920 (1962).

⁸⁵The Daily Progress, July 3, 1962, p. 13, col. 1.

⁸⁶The Daily Progress, July 10, 1962, p. 13, col. 6.

and with every child, the line had been held and withdrawn only when required to."⁸⁷

The court made no immediate decision on the two appeals involved in the case. The court seemed to need additional time to consider the arguments presented before it.

The School Board considered the recommendations of the building committee. Those recommendations included building a six-hundred-pupil high school in the Northwest section of the City and building an addition to Burley High School. The intention of the building committee was, apparently, to provide classroom space for the program as operated by the School Board at the time.⁸⁸

In the meantime, the Superintendent had before him twelve appeals for transfer from black pupils. Two of the appeals were requests for transfer to previously all-white Johnson Elementary School. Two other transfer appeals were requests of black pupils wishing to transfer from Lane High School to Burley High School. Ellis announced that he would await the decision of the U. S. Court of Appeals in

⁸⁷Ibid.

⁸⁸A Report of the Committee Appointed by the State Superintendent of Public Instruction to Survey the High School Buildings and to Recommend a Building Program to the Officials of Charlottesville, "The High School Building Needs of Charlottesville" (Charlottesville: School Board of the City of Charlottesville, April, 1962), p. 13. (Mimeographed.)

the Dillard case before making a decision on the transfer appeals.⁸⁹

The School Board met in a regular meeting on July 12, 1962. The School Board approved a recommendation that a summer kindergarten be operated for beginning first graders at Jefferson Elementary School. Two teachers were employed to instruct pupils for a four-week period, beginning July 24.⁹⁰ At the next School Board meeting, a report on the kindergarten program at Jefferson was presented by the Principal of the school. He characterized the program as very successful.⁹¹

The question of compulsory school attendance came before the School Board on September 13, 1962. School Board member Babcock thought that a compulsory attendance law would force integration upon some white children. He said that "the court decision may put us virtually on a no-transfer basis . . . which would mean white children at Jefferson School [Black]."⁹² Despite the reservations of Babcock, the School Board passed the following resolution:

⁸⁹The Daily Progress, July 12, 1962, p. B-1, col. 7.

⁹⁰Charlottesville, Virginia School Board Minutes, July 12, 1962, p. 5.

⁹¹Charlottesville, Virginia School Board Minutes, September 13, 1962, p. 3.

⁹²The Daily Progress, September 14, 1962, p. 1, col. 1.

Resolved, That the School Board of the City of Charlottesville recommends to the City Council that it adopt an ordinance placing Charlottesville under the provisions of the State Compulsory Attendance Law (Chapter 72, Acts of the Assembly, Extra Session 1959, Regular Session 1960).⁹³

The U. S. Court of Appeals for the Fourth Circuit made the decision on the two desegregation appeals from Charlottesville on September 17, 1962. The court voted, three to two, to support the decision of Judge Paul on the high school plan. The court overruled Judge Paul on the elementary school plan. The NAACP emerged victorious in both cases. The court ordered the plaintiffs transferred immediately to the respective schools for which they applied. For the first time, two black pupils were transferred to Johnson Elementary School. Fifteen additional black pupils were transferred to Venable Elementary School, and an additional seven were transferred to Lane High School.⁹⁴

The court took a somewhat new position in the decision. The plans of the School Board were found wanting because "little progress in the integration of the schools may be expected" under their administration. The School Board was expected to expedite school desegregation.⁹⁵

⁹³Charlottesville, Virginia School Board Minutes, September 13, 1962, p. 6.

⁹⁴Dillard v. School Board, Ibid.

⁹⁵Ibid.

The Superintendent announced that five plaintiffs still in attendance at the Burley High School would be notified they could attend Lane High School. The School Board acted to appeal the decision of the court on the elementary assignment plan.⁹⁶ The School Board asked for a stay of execution in transferring the plaintiffs to elementary schools pending the appeal to the Supreme Court of the United States. The Superintendent added that he would not act upon additional requests for transfer by black elementary pupils until a decision was made by the Supreme Court on the appeal of the School Board.⁹⁷ The U. S. Fourth Circuit Court of Appeals granted the requested stay.

Eugene Williams, Jr., President of the NAACP, was pleased with the court decision. He was pleased less with the action of the School Board. He said the following:

Each stumbling block gives us more courage and determination to continue to push for our Negro children to get a desegregated education.

We regret the action of the City Council and the School Board yesterday because such action is parallel to the Prince Edward County situation.

We have always had high hopes that Charlottesville, with its many opportunities for educational and cultural growth, would be a shining example for its neighboring communities. To pattern its action after Prince Edward County overshadows all the prospects for a peaceful settlement of the case.

⁹⁶Charlottesville, Virginia School Board Minutes, September 18, 1962, p. 1.

⁹⁷The Daily Progress, September 19, 1962, p. 21, col. 5.

Each time we go to court and the NAACP wins the case, the credit goes to the NAACP for making Charlottesville a better place for all people to live.⁹⁸

The impact of the decision in the case of Dillard v. School Board of the City of Charlottesville, Va. was significant to officials in Richmond. Attorney-General Robert Y. Button said: "I think it is one of the most far reaching decisions entered by any court involving segregation in schools since Brown v. Board of Education." Governor Albertis S. Harrison, Jr. discussed the case with Button and Battle. The School Board attorney asked the Circuit Court to rehear the portion of the case appealed to the Supreme Court.⁹⁹ He did not pursue that course because of a lack of time.¹⁰⁰

The appeal of the School Board went to the Supreme Court on October 10, 1962. Battle asked the Supreme Court for a writ of certiorari.¹⁰¹ The Charlottesville case involved principles similar to those of a case from Knoxville, Tennessee. It appeared that the Charlottesville case might be combined with the Knoxville case for the consideration of the Supreme Court.¹⁰²

⁹⁸ Ibid.

⁹⁹ The Daily Progress, September 24, 1962, p. 15, col. 6.

¹⁰⁰ The Daily Progress, October 9, 1962, p. 13, col. 5.

¹⁰¹ School Board of Charlottesville, Virginia v. Dillard, 374 U. S. 827, 83 S. Ct. 1864 (1963).

¹⁰² The Daily Progress, October 11, 1962, p. 25, col. 6.

Chief Justice Earl Warren reviewed the procedures in the Charlottesville case. He overturned the stay of execution of the order of the U. S. Circuit Court of Appeals.¹⁰³ As a result the first black pupils were transferred to Johnson Elementary School, and additional black pupils were transferred to Venable Elementary School.

The School Board yielded to the decision of the Chief Justice. The School Board also transferred those black pupils who had requested transfers and still had their transfer requests pending before the Superintendent when the Chief Justice denied the motion of the School Board for the stay.¹⁰⁴ Four black pupils entered Johnson Elementary School for the first time on October 24, 1962. Nine additional black pupils entered Venable Elementary School which brought the total black enrollment of that school to twenty-nine.¹⁰⁵

The School Board held a regular meeting on November 8, 1962. The School Board was presented with delegations from Clark, Johnson, and Venable Elementary School PTA's. The delegations indicated their concern about overcrowded conditions at Lane High School. Contrary to the building committee recommendations, the PTA's urged the School Board

¹⁰³School Board v. Dillard, Ibid.

¹⁰⁴The Daily Progress, October 26, 1962, p. 13, col. 6.

¹⁰⁵The Daily Progress, October 24, 1962, p. 17, col. 4.

to alleviate the crowded high school conditions by the construction of junior high schools. The Chairman told the delegations that the School Board was studying the problem and hoped to have a recommendation for a building program within sixty days.¹⁰⁶ The Chairman indicated that decisions regarding the school building program were concerned with both desegregation of the schools and annexation proceedings against Albemarle County. He said that, ". . . although the pattern is solidifying, plans can't be made overnight."¹⁰⁷

The School Board was presented with indications of support for a junior high school building program from the two remaining white elementary school PTA's at the School Board meeting on December 13, 1962. The Chairman of the School Board announced several days before that the public seemed to favor a junior high school building program, rather than the recommended Northwest high school.¹⁰⁸ The junior high school concept was adopted at the next School Board meeting. The School Board passed a resolution to build three junior high schools, one of which was to be an addition to Burley High School built with the cooperation of Albemarle County, co-owner of the building. A proposal to

¹⁰⁶Charlottesville, Virginia School Board Minutes, November 8, 1962, p. 2.

¹⁰⁷The Daily Progress, November 9, 1962, p. 13, col. 1.

¹⁰⁸The Daily Progress, December 4, 1962, p. 13, col. 5.

add four classrooms to Greenbrier Elementary School was included in the resolution of the School Board.¹⁰⁹

The School Board was informed by the NAACP that it was opposed to the portion of the building program which provided for a junior high school addition to Burley High School. The NAACP said at the School Board meeting that the NAACP would go to court in opposition to the plan and ". . . any special arrangement for the city Negro school children which seeks to perpetuate segregation."¹¹⁰ Eugene Williams, Jr., then a past-President of the NAACP, criticized the School Board for the continuation of joint operation of Burley High School with Albemarle County. (Built for blacks in 1951 under joint City-County sponsorship, Burley drew about half its enrollment from the City and half from the County.) The Chairman replied to Williams that, ". . . segregation versus integration is not an issue . . . in the expansion program and that the junior high school plan would . . . neither encourage nor avoid it."¹¹¹

A matter related to desegregation problems was brought to the School Board during a meeting on December 13, 1962. The Lane High School PTA requested that the School

¹⁰⁹Charlottesville, Virginia School Board Minutes, January 10, 1963, p. 3.

¹¹⁰The Daily Progress, January 10, 1963, p. 1, col. 2.

¹¹¹The Daily Progress, January 11, 1963, p. 13, col. 4.

Board reconsider the ban on school-sponsored dances. The dances were reinstated at the meeting on January 10, provided that they were conducted under the sponsorship of the Lane PTA, and that only Lane students were allowed to attend.¹¹²

The NAACP continued pressure upon the School Board and the City Council. Local chapter members attended the City Council meeting on January 21, 1963. The City Council approved a building program which included three sites, plus the addition to Greenbrier Elementary School. NAACP critics said they approved the construction of junior high schools, but opposed addition of junior high facilities at Burley High School. The Burley addition was opposed because it would "aggravate" the segregation problem there as well as continue a "monument to segregation."¹¹³

The Jefferson Elementary School PTA announced that it, too, was opposed to the construction of a junior-high school addition at Burley High School. The black elementary PTA unit stated that it enthusiastically supported the general concept of the junior high school building program. The PTA unit, however, favored schools owned solely by the City and wished to discontinue joint operation with Albemarle County at Burley High School.¹¹⁴

¹¹²Charlottesville, Virginia School Board Minutes, January 10, 1962, p. 4.

¹¹³The Daily Progress, January 22, 1963, p. 11, col. 6.

¹¹⁴The Daily Progress, February 4, 1963, p. 13, col. 5.

The future for Burley High School came into question for the City and the County. The County had received the first serious protests against segregated schools from black residents. Burley High School was regarded with a measure of misgiving by the Albemarle County Superintendent, Paul H. Cale. He said: "The past with Burley has been good; the future is gloomy."¹¹⁵

Public schools became a matter of general concern for many citizens in Charlottesville. The concern was so great that an organization was formed to promote school improvement. The organization was called Citizens for Better Schools (CBS). CBS was concerned with two major aspects of school improvement as quoted below from its By-Laws:

To secure for all the children of Charlottesville, by all necessary means, a city public school system consistent with the needs of our children and the desires of our citizens; and to encourage and support efforts to determine the needs, strengths, and weaknesses of our schools.¹¹⁶

The Superintendent of Charlottesville City Schools, Fendall R. Ellis, resigned to accept a position with the Virginia State Department of Education as Supervisor of the Division of Research and Pilot Studies, a newly created department.¹¹⁷ Ellis had carried a heavy responsibility for

¹¹⁵The Daily Progress, February 15, 1963, p. 11, col. 5.

¹¹⁶The Daily Progress, February 28, 1963, p. 21, col. 4.

¹¹⁷The Daily Progress, March 22, 1963, p. 13, col. 6.

school desegregation as the pupil assignment officer of the School Board. He frequently was the target of court suits along with the School Board in attempts of blacks to enter white or formerly-white schools. He was a man caught in the middle, caught between interest groups which demanded immediate desegregation of the schools and those interests which wanted no end to the operation of segregated or predominately-white schools. His resignation was effective May 1, 1963.

The School Board announced on April 5, 1963 that George C. Tramontin would fill the post of Interim Superintendent until such time that the School Board appointed a replacement for Ellis. Tramontin was Director of Instruction for the school system. He occupied that position for three years prior to his elevation to the Superintendency by the School Board.¹¹⁸ The School Board appointed Tramontin Superintendent of Schools during June of that year.

The NAACP entered a suit, Williams v. School Board of the City of Charlottesville, against the School Board on April 26, 1963. The suit had a two-fold purpose: (1) to halt plans and construction of a junior high school program at Burley High School, and (2) to halt the operation of Burley High School as a facility for the exclusive use of

¹¹⁸The Daily Progress, April 5, 1963, p. 13, col. 1.

blacks.¹¹⁹ The suit charged that under the Fourteenth Amendment the operation of Burley High School was a denial of the rights of black pupils to attend schools on a racially non-discriminatory basis. The plaintiffs were twelve City black elementary pupils, their parents, seven Albemarle County black pupils, and their parents.¹²⁰

The City Council and City School Board joined with the Albemarle County Board of Supervisors and County School Board to retain John S. Battle, Jr. as their attorney in the suit. The first action was an attempt to have the suit dismissed. The motion was denied, and Judge Thomas J. Michie, Jr. set the pretrial conference for the case on June 21, 1963, but the trial was postponed until the fall.¹²¹ The attorneys were requested to file their briefs.¹²²

In the meantime, the Supreme Court acted on the Tennessee case pending before it. That case was similar to the Dillard case. It was expected that the judgment of the court in the Tennessee case would set the rule for the pending appeal of the School Board. Supreme Court Justice Tom C.

¹¹⁹The Daily Progress, May 3, 1963, p. 1, col. 5.
(Official records of this case, Civil Action No. 102, were inaccessible at the time the study was made.)

¹²⁰The Daily Progress, May 21, 1963, p. 13, col. 4.

¹²¹The Daily Progress, June 12, 1963, p. 17, col. 5.

¹²²The Daily Progress, June 22, 1963, p. 11, col. 8.

Clark said for the court that "classification based on race for purposes of transfers between public schools . . . violated the equal protection clause of the Fourteenth Amendment."¹²³ Battle indicated that this decision probably would be the guide for Charlottesville.¹²⁴ The court later refused to hear the Charlottesville case.

The School Board was left with two avenues of approach to school assignments. The first approach was for each pupil, regardless of race, residing in an elementary school attendance area, to go to the school in that area with no transfers allowed. The second approach was for any pupil to have the option of transferring to any elementary school in the City, provided space was available. Ultimately, the School Board selected the latter alternative.

The City Council announced that the School Board was authorized to locate appropriate sites for junior high schools. On the next afternoon, May 23, 1963, the School Board Chairman stated that there was a strong possibility that the School Board might decide to build two, rather than three, junior high schools.¹²⁵ A special meeting of the School Board was held on June 11, 1963. The School Board approved the plans

¹²³Goss v. Board of Education of the City of Knoxville, Tennessee, 373 U. S. 683, 83 S. Ct. 1405 (1963).

¹²⁴The Daily Progress, June 4, 1963, p. 11, col. 5.

¹²⁵The Daily Progress, May 24, 1963, p. 13, col. 6.

for building two junior high schools. The School Board approved plans for continued operation of the seventh grade at Jefferson Elementary School and grades eight and nine at Burley High School.¹²⁶

Apparently, the decision of the Supreme Court not to hear the appeal of the Charlottesville School Board led the School Board to adopt the freedom-of-choice policy so long as space was available in each school. The Chairman of the School Board stated that he was not surprised that the Supreme Court refused to hear the case. He added that the only criterion that the School Board was able to use in deciding on school transfer requests was "availability of space."¹²⁷ Johnson Elementary School was assigned fourteen additional black pupils which brought the total black enrollment at that school to eighteen. Venable Elementary School was assigned eighteen additional black pupils which brought the black enrollment at the school to fifty-two.¹²⁸

On July 11, 1963, the School Board considered the costs of legal services rendered in the desegregation suits. The total cost of legal services up to that time was \$7,246.97. The School Board was told by the new Superintendent that

¹²⁶Charlottesville, Virginia School Board Minutes, June 11, 1963, p. 1.

¹²⁷The Daily Progress, June 18, 1963, p. 13, col. 2.

¹²⁸Ibid.

Attorney-General Button informed him that \$3,623.49 of the expenses would be reimbursed to the School Board by the State.¹²⁹

The junior high school plans began to take shape. An architectural firm was employed to begin design work. Sites were selected in the Northern and Southern sections of the City. Negotiations and litigation were started to secure the sites. Plans for an addition to Burley High School were abandoned.

The social activities conducted at Lane High School under PTA sponsorship proved successful. The Lane PTA and Student Council joined forces and appeared before the School Board on September 12, 1963. The two groups requested that the School Board modify the social-events policy at Lane High School to allow non-Lane student guests to attend social functions at the school. The School Board approved the amendment of the policy on a trial basis, provided that a City policeman was on duty for the period of time of the social event.¹³⁰

The State NAACP announced that it intended to initiate a suit against the State pupil-scholarship program. The

¹²⁹Charlottesville, Virginia School Board Minutes, July 11, 1963, p. 3.

¹³⁰Charlottesville, Virginia School Board Minutes, September 13, 1963, pp. 1-2.

State NAACP declared that the so-called tuition grants were a violation of the Fourteenth Amendment.¹³¹

The local NAACP continued to press its position on the School Board and school administration. The Superintendent was sent a letter in which the NAACP demanded a statement from the School Board saying that it was committed to the operation of a completely desegregated program. The concern of the organization was the status of teachers at Jefferson Elementary School for the coming year. The NAACP also was concerned about the future of seventh graders at Jefferson School. Desegregation of the teaching staff and inclusion of the pupils scheduled for the seventh grade at Jefferson into the junior high school were priorities mentioned in the letter. The letter writer mentioned that the School Board faced another suit if the School Board could not reply adequately to the questions raised.¹³²

The letter was addressed to the Superintendent, and he replied to it. He told the President of the NAACP that the School Board set the policy of freedom-of-choice and that any pupil was able to enter any school he wished so long as space was available. In reply to the NAACP question about teaching assignments, the Superintendent said that

¹³¹The Daily Progress, September 2, 1963, p. 1, col. 6.

¹³²The Daily Progress, November 2, 1963, p. 9, col. 1.

neither he nor anyone else could determine where teachers would be assigned when the junior high schools opened.¹³³

The bond issue for junior high schools was approved by a vote of 3218 to 1177. Junior high schools were assured for the City. Public support for public schools continued in the face of continued pressure for greater school desegregation.¹³⁴

Eugene Williams, Jr., former NAACP President, expressed concern about the situation at the two black schools in Charlottesville. He wrote, in a letter published in The Daily Progress:

Any statesman who wishes to stand with the spirit of John F. Kennedy would ask the School Board to recommend that Negro civic leaders be appointed to it; that Jefferson Elementary School and Jackson P. Burley High School be desegregated immediately; and that the entire faculty of the school system likewise be desegregated immediately. Not until all of this is done will the battle for equality end.¹³⁵

Councilman R. E. Lee made some revealing comments in an interview conducted with other council members. Lee made the following statement:

I would very much like to see pressure put on the School Board to get the joint board that operates Burley [High School] to get Burley upgraded to the

¹³³Ibid.

¹³⁴The Daily Progress, November 6, 1963, p. 1, col. 1.

¹³⁵The Daily Progress, January 7, 1964, p. 4, col. 3.

point where it is the equal of Albemarle and Lane [High Schools]. It would be a tremendous asset to the community.¹³⁶

Judge John Paul died in Harrisonburg on February 14, 1964.¹³⁷ The jurisdiction he held in Charlottesville school desegregation passed to Judge Michie in Charlottesville.

Criticism of State pupil scholarships or tuition grants mounted. City Council, however, made plans to support the scholarship program and joined with other localities in filing defense briefs in favor of the scholarships.¹³⁸

The suit, Williams v. School Board, brought against the School Boards and governing bodies of Charlottesville and Albemarle County finally came before Judge Michie. Battle, the attorney for the defendants, presented a motion to dismiss the suit because the junior high school construction was no longer an issue. That plan was abandoned when the City School Board acted to build two junior high schools, not three. Judge Michie denied the motion. He said: "The issue to be tried is the plaintiffs' contention that the operation of Burley at present as a facility for Negroes is in controvention of the U. S. Constitution."¹³⁹

¹³⁶The Daily Progress, January 3, 1964, p. 11, col. 5.

¹³⁷The Daily Progress, February 14, 1964, p. 12, col. 6.

¹³⁸The Daily Progress, March 2, 1964, p. 15, col. 6.

¹³⁹The Daily Progress, March 5, 1964, p. 17, col. 5.

The Joint Committee for Control Board which operated Burley High School was put to a severe test. The school was overcrowded, as was Lane High School. Relief of some kind was needed at Burley High School. The Charlottesville School Board resolved to continue the eighth and ninth grades there. The Joint Board requested that the Charlottesville School Board consider construction of either temporary or permanent classrooms at Burley High School for use during the 1964-65 school year. The City School Board on March 13, 1964, at a special meeting, agreed to table the request for additional space at Burley High School until after the Chairman and Superintendent discussed with the School Board attorney the litigation which concerned Burley.¹⁴⁰

The School Board held a special meeting on March 24, 1964. The School Board agreed to request funds from City Council. The funds allowed by City Council would provide for temporary classroom space during the school year 1964-65. The School Board asked that City Council further authorize the funds for preliminary architectural plans to relieve overcrowded conditions at Burley High School.¹⁴¹

¹⁴⁰Charlottesville, Virginia School Board Minutes, March 13, 1964, pp. 1-2.

¹⁴¹Charlottesville, Virginia School Board Minutes, March 24, 1964, p. 1.

The Superintendent presented the School Board with a communication he planned to send to pupils who were to attend eighth grade during the school year 1964-65. Each seventh grader was asked in the letter to indicate his choice of school for the upcoming school year. The School Board approved the letter and thereby set in motion a new assignment approach for high school pupils in Charlottesville.¹⁴²

Judge Michie was presented with a motion to reopen the case of Allen v. School Board of Charlottesville in order for blacks to receive "further necessary and proper relief."¹⁴³ The NAACP presented the motion primarily as a frontal attack upon teacher and other professional and staff assignments based on race. Part of the motion is quoted as follows:

. . . that the court restrain the School Board from assigning teachers and supervisory personnel to schools on the basis of their race and color or the race or color of the pupils attending the schools to which they are assigned.¹⁴⁴

Public schools became a focus of political discussion during the general election for three City Council seats during the spring of 1964. The Democrats presented three candidates. Bernard J. Haggerty and Lindsay B. Mount ran for reelection. Burkett A. Rennolds, an executive with Trailways

¹⁴²Ibid.

¹⁴³The Daily Progress, April 17, 1964, p. 1, col. 7. (Official records on the reopening of this case, Civil Action No. 51, were inaccessible at the time the study was made.)

¹⁴⁴Ibid.

Bus Company, ran for the third seat on the Democratic slate. Dr. John H. Knight, a dentist, was nominated by the Republican Party when R. E. Lee announced he would not seek reelection. Alfred P. Samuels, Jr., owner of an industrial printing company, ran as an Independent.

The campaign did not generate much interest until Mayor Haggerty agreed to appear with the Superintendent for a discussion of Charlottesville schools before the Citizens for Better Schools. The meeting was attended by fifty persons at the City courthouse on May 7, 1964. The membership of CBS was upset because of a reduction of the school budget for the previous year by City Council and failure of City Council to reappoint the only School Board member who voted against the revised budget. Dissatisfaction with the Mayor and the Superintendent was expressed following the meeting. It was reported in the daily newspaper that: "The Mayor and the Superintendent were accused of skirting the issues raised by the audience. It was clearly felt that you couldn't get a direct answer to any question from these men."¹⁴⁵

Samuels charged that educational opportunities in Charlottesville were not equal. This accusation was made on June 2, 1964. He gave test score differences between the

¹⁴⁵The Daily Progress, May 11, 1964, p. 17, col. 1.

student bodies of Lane High School and Burley High School as evidence of the inequality of the two institutions. He said that the schools and teaching staffs were going to be desegregated eventually. He said further: "There is nothing anyone can do to fight it. We should accept it gracefully and make the transition as easy as possible on everyone."¹⁴⁶ Samuels dropped out of the campaign before the election on June 9. It was rumored that he would offer his support to the Republican candidate, but no such announcement was made prior to the election.

Mayor Haggerty campaigned vigorously and answered charges by Eugene Williams, Jr., former President of NAACP, that the Mayor and Councilman Mount promoted special group interests. The Mayor denied that there was any special interest. He stated the following:

I sincerely believe that the first interest of the School Board, the school administration, and Council is that all children receive the best possible education. I cannot in my own mind feel that education would benefit by the simple placement of a Negro teacher in a predominately white school and the replacement of Negro teachers with white teachers.¹⁴⁷

He further defended both Lane High School and Burley High School. He said that he thought pupils at both schools were "offered educations of equal quality."¹⁴⁸

¹⁴⁶The Daily Progress, June 2, 1964, p. 13, col. 4.

¹⁴⁷The Daily Progress, June 6, 1964, p. 11, col. 7.

¹⁴⁸Ibid.

The election results indicated that Charlottesville voters were satisfied with City government under the present leadership. The three Democratic candidates defeated the lone Republican and write-in votes for the withdrawn Independent in a total vote of 3123.¹⁴⁹

A day after the election, a short debate developed concerning the appointment of a black to the School Board. The Chairman of the School Board, Roscoe S. Adams, Sr., was retiring from the School Board. He was quoted as saying: "It is high time for one of our Negro citizens to be on the Board."¹⁵⁰

Mayor Haggerty reacted to Adams' suggestion and the possibility that Lee, retiring Councilman, again would nominate a black to a School Board vacancy. He replied as follows:

I can't see any real purpose being served by appointing a Negro just because he is a Negro. I will give serious thought and consideration to all the nominees and give my vote to the ones I feel can serve the city best.¹⁵¹

Lee nominated the Reverend Henry B. Mitchell, black minister at the Trinity Episcopal Church, for one of two seats on the School Board. The nomination was made for serious reasons Lee said. He was quoted as follows:

¹⁴⁹The Daily Progress, June 10, 1964, p. 1, col. 5.

¹⁵⁰The Daily Progress, June 11, 1964, p. 21, col. 5.

¹⁵¹The Daily Progress, June 15, 1964, p. 17, col. 2.

. . . our Negro citizens fear they are not being consulted on the operations of our schools. The presence of a competent Negro on the Board would help allay that fear.

No one should be considered as representing a special group. The Rev. Mr. Mitchell has indicated eminent qualifications for the job.¹⁵²

The other Council members disregarded Lee's nomination and plea. Charles A. Via, Jr., an attorney, and Grover W. Forloines, a building contractor, were appointed to the School Board vacancies.

The local NAACP was active, in the meantime. The NAACP announced in the press that it asked the School Board to end segregation in all City schools. The NAACP wanted the School Board to adopt a desegregation plan which included not only school pupils, but all teachers and administrative staff as well. A petition containing three hundred six signatures of Charlottesville residents was presented to each School Board member and the Superintendent. The petition offered the services of the NAACP to the School Board without the influence of litigation. Mrs. Thelma T. Townsend, President of the NAACP, and Eugene Williams, Jr., Executive Secretary of the local NAACP, stated in the letter which accompanied the petition:

We do not promise to forestall litigation beyond the time during which you would normally hold two regular meetings, unless we will be advised of your willingness to end racial segregation in the school

¹⁵²The Daily Progress, June 16, 1964, p. 13, col. 5.

system and to commence the transition no later than the opening day of the 1964-65 session.¹⁵³

President Lyndon B. Johnson signed into law the Civil Rights Act on July 2, 1964. The doors of a local restaurant were closed as a result. The same restaurant was the scene of earlier disturbances when it was picketed by whites and blacks for refusing to serve food to blacks. The closed restaurant was the only one that refused earlier to lower the color barrier. The restaurant would not serve blacks during a brief sit-in campaign in Charlottesville.¹⁵⁴

The United States Commissioner of Education, Francis I. Keppel, came to Charlottesville to conduct a briefing for educators on the new civil rights law. Educators of the region were advised of two titles in the law which were of particular concern to the U. S. Office of Education. Title IV of the law involved desegregation in the public schools. Title VI provided for non-discrimination in federally assisted programs. Commissioner Keppel told his audience that the intent of the law was to end discrimination, not to withdraw funds from any school division or institution.¹⁵⁵ The message was clear to all who attended. Steps toward desegregation and non-discrimination were required if schools were to continue receiving federal funds.

¹⁵³The Daily Progress, June 2, 1964, p. 13, col. 8.

¹⁵⁴The Daily Progress, July 3, 1964, p. 1, col. 5.

¹⁵⁵The Daily Progress, July 25, 1964, p. 9, col. 1.

Judge Michie heard the suit, Williams v. School Board, on August 14, 1964. The attorney for the plaintiffs, S. W. Tucker, called the Principal of a white elementary school as a witness. He asked her whether or not guidance counselors from both Lane High School and Burley High School came to her school to talk with seventh graders. The Principal stated that a counselor from Lane came to her school to talk with seventh graders, but a counselor from Burley did not. The plaintiffs' attorney then called the Principal from Jefferson Elementary School. The Principal told the court that counselors from both Lane and Burley High Schools visited seventh graders at his school. He added that the Lane counselor did not discourage twenty-eight to thirty black pupils at Jefferson who indicated they wished to enroll at Lane.¹⁵⁶ Judge Michie announced he would delay court action on the case, as well as three other desegregation cases before him, until the U. S. Court of Appeals for the Fourth Circuit entered a ruling on a case pending before it, because the case bore some relevancy to the cases before Judge Michie.¹⁵⁷ He apparently wished to have the benefit of the opinion of the Circuit Court before he made a decision on those cases before him.

¹⁵⁶The Daily Progress, August 14, 1964, p. 13, col. 6. (Official records of this case, Civil Action No. 102, were inaccessible at the time the study was made.)

¹⁵⁷The Daily Progress, August 15, 1964, p. 9, col. 6.

Three days later, the State NAACP filed a suit challenging the tuition-grant law. Charlottesville was one of eight communities named in the suit.¹⁵⁸ The CEF announced that it saw no reason for alarm as a result of the suit.¹⁵⁹ A week later, the CEF started construction of an addition to one of the private schools.¹⁶⁰

The School Board discussed enrollment projections through 1970 with City Council. It was apparent from the population projection that an additional school building program would be necessary within two years.¹⁶¹ The School Board awarded the contract for construction of two junior high schools on November 6, 1964. The cost of the contract for the two schools was \$2,808,200, with four hundred days construction time allowed.¹⁶²

The local NAACP entered into further correspondence with the School Board. The NAACP addressed the Chairman of the School Board, Chester R. Babcock, on December 1, 1964 about the pupil assignment plan for the junior high schools. The NAACP was very critical of the plan of the School Board

¹⁵⁸The Daily Progress, August 18, 1964, p. 1, col. 4.

¹⁵⁹The Daily Progress, August 27, 1964, p. 19, col. 6.

¹⁶⁰The Daily Progress, September 3, 1964, p. 19, col. 5.

¹⁶¹Charlottesville, Virginia School Board Minutes, October 22, 1964, p. 1.

¹⁶²The Daily Progress, November 6, 1964, p. 9, col. 5.

to continue use of freedom-of-choice in the assignment of pupils to the junior high schools. The NAACP wanted the School Board to assign automatically all seventh, eighth, and ninth graders to the junior high schools. The NAACP wanted the School Board to formulate a meaningful desegregation plan for all other schools in the City. The NAACP warned that, "every legal way, including the use of publicity and litigation" would be used if the School Board made no effort to comply with the requests.¹⁶³

The School Board met in executive session on December 10, 1964. Babcock reviewed the letter from the NAACP President, Mrs. Townsend. The school assignment policy was discussed by the School Board. It was agreed that the present school assignment plan would be continued. It also was agreed that the seventh grade would be offered at Jefferson Elementary School for those pupils interested in attending classes at that school.¹⁶⁴

A new group named the Citizens' Democratic Council was organized. It was made up of both white and black citizens. The major purpose of the Citizens' Democratic Council was to identify with the policies of the national Democratic

¹⁶³Letter addressed to Chester R. Babcock, Chairman, Charlottesville School Board, from Mrs. Thelma T. Townsend, NAAP, dated December 1, 1964.

¹⁶⁴Charlottesville, Virginia School Board Minutes, December 10, 1964, p. 1.

Party and to influence local politicians who remained loyal to the conservative view of the State Democratic leadership. The first meeting of the Citizens' Democratic Council was held on January 7, 1965. The group listened to Mayor Mount argue in favor of the State sharing the debt load of the localities of Virginia. (Virginia was noted for her pay-as-you-go policies, first introduced by Senator Harry F. Byrd, Sr. when he was Governor of Virginia). The group voted to back the policies of President Johnson and urged all Democrats to support his programs.¹⁶⁵ The Citizens' Democratic Council discussed the situation concerning the seventh grade in City schools. The group very nearly voted to ask the School Board to eliminate the seventh grade from all City elementary schools when the junior high schools opened.¹⁶⁶

The City Democrats met on January 21, 1965 to elect a new Democratic Committee for the City. Surprisingly, supporters of President Johnson dominated the election and emerged in the majority in the Committee election. Blacks were elected to the Charlottesville Democratic Committee for the first time.¹⁶⁷ A Daily Progress reporter made the following commentary:

¹⁶⁵The Daily Progress, January 8, 1965, p. 19, cols. 5, 6.

¹⁶⁶The Daily Progress, January 11, 1965, p. 17, col. 1.

¹⁶⁷The Daily Progress, January 22, 1965, p. 13, col. 1.

The winning coalition is in some respects an uneasy one. The growing Negro vote which won representation on the committee for the first time isn't a disciplined arm of the faction which has been successful in City Council races here, even though they were allies last week. The two heavily Negro precincts ran far beyond what had been planned in the way of committee turnover.

Many of the white liberals who joined the "Downtown Democrats" in this fight feel their colleagues are still dragging their feet on some aspects of school integration. . . .¹⁶⁸

The pace of school desegregation was the subject of a letter to the School Board. Drewary Brown, President of the local NAACP, protested the plan of the School Board to continue the seventh grade at Jefferson Elementary School. Brown wrote the letter on February 11, 1965 in which he stated the following:

While a few Negro parents have chosen to send their children to Jefferson School, we do not regard this as evidence of the merit of continuing this system. . . .

We can only regard the maintenance of the seventh grade at Jefferson School as an attempt to preserve the patterns of de facto segregated schooling which now exist in the community. . . .¹⁶⁹

The Citizens' Democratic Council met again on February 19, 1965. The membership listened to a report from Dr. Richard E. Boden, Chairman of the Council's Committee for Public Education. He said:

¹⁶⁸The Daily Progress, January 29, 1965, p. 3, col. 1.

¹⁶⁹Letter addressed to the Charlottesville School Board from Drewary Brown, President, NAACP, dated February 11, 1965.

The pattern [of desegregation] has been the same here since 1956. The School Board is taking no initiative to provide desegregated education in the city.¹⁷⁰

Boden continued to describe the questionnaire authorized by the School Board to be sent to all parents of pupils in the sixth grade. He thought that this device was used by the School Board to preserve segregation because the seventh grade was continued at Jefferson Elementary School. He further stated that the School Board had an "ideal opportunity to clear up" the problem of desegregation by abolishing the seventh grade at Jefferson School and incorporating all seventh graders in the City into the junior high school program. He cautioned that if the School Board did not act in this manner, the Citizens' Democratic Council might have to contact parents in an attempt to persuade them to apply for transfer from Jefferson School. The Citizens' Democratic Council resolved to ask the School Board to assign all seventh, eighth, and ninth graders to the junior high schools.¹⁷¹

The next meeting of the School Board was a special meeting on February 22, 1965. The School Board took two significant actions at the meeting. The first action was to vote to comply with Title VI of the Civil Rights Act of 1964. The Superintendent was instructed to send to the Virginia

¹⁷⁰The Daily Progress, February 19, 1965, p. 13, col. 1.

¹⁷¹Ibid.

State Department of Education two copies of the final court order which desegregated certain public schools in Charlottesville and two copies of the minutes of the meeting approving the action. The second significant action taken by the School Board was a unanimous vote not to offer the seventh grade at any elementary school in the City during the session 1965-66. The plans for offering the seventh grade at Jefferson Elementary School were abandoned when the School Board learned that only thirty pupils indicated they wished to return there for the seventh grade.¹⁷²

Boden appeared before the School Board at the next regular meeting on March 18, 1965. He presented the Citizens' Democratic Council resolution as quoted below:

The Citizens' Democratic Council hereby urges the Charlottesville City School Board to assign all city seventh, eighth, and ninth grade public school children to the two new junior high schools when available for use. . . .¹⁷³

Boden made the statement that Jefferson School did not provide an equivalent level of educational opportunity to Jefferson pupils. He thought the School Board had to work to bring up the level of Jefferson School if all junior high school pupils were to have the same opportunity. He said further:

¹⁷²Charlottesville, Virginia School Board Minutes, February 22, 1965, p. 1.

¹⁷³Charlottesville, Virginia School Board Minutes, March 18, 1965, pp. 1-2.

. . . The fact that new schools are needed is no secret. A building program will require solid community approval. The integration of Jefferson would solidify support for new buildings.

. . . We believe the transfer rate out of Jefferson will accelerate in the next couple of months.

. . . We feel it is obvious the city's participation in Burley is in its twilight period and will come to a natural end.¹⁷⁴

Boden made clear the Citizens' Democratic Council's desire for all seventh, eighth, and ninth graders to attend the junior high schools. This, of course, meant taking present eighth graders from Burley and placing them in the new junior high school. Boden commended the School Board for the previous action on the seventh graders.¹⁷⁵

The federal court was active in the meantime. The United States District Court for the Eastern District of Virginia ruled on March 9, 1965 that tuition grants were unlawful when the schools attended by those receiving the grants were maintained predominately by the scholarships.¹⁷⁶ The Charlottesville Education Foundation schools were restricted from receiving pupil scholarships by the court decision. The CEF announced on March 11, 1965 the intention to remain in operation. The CEF conducted a survey of pupils, and on March 26, it found that there were sufficient pupils

¹⁷⁴The Daily Progress, March 19, 1965, p. 13, col. 1.

¹⁷⁵Ibid.

¹⁷⁶Griffin v. State Board of Education, 239 F. Supp. 560 (1965).

interested in returning at their own expense to Robert E. Lee Elementary School and Rock Hill Academy to allow both schools to operate during the coming school year.¹⁷⁷

The School Board named William C. Battle, brother of the attorney in the desegregation suits, as special school counsel. Battle was assigned the task of assisting the School Board with problems encountered in complying with the Civil Rights Act.¹⁷⁸

The Headstart program was introduced to the School Board on April 22, 1965. The School Board was concerned about the liability for the program. The major concern surrounded the fear that federal funds (\$42,500) might not be made available for the operation of Headstart after the School Board agreed to participate in the program. The School Board finally agreed to sponsor Headstart if the funds were guaranteed and sufficient liability insurance were provided against injury of any pupil enrolled in the program.¹⁷⁹

The City Council filled a seat on the School Board after the unexpected death of one of the School Board members. Thomas J. Michie, Jr., a lawyer, was appointed to the vacant

¹⁷⁷The Daily Progress, March 26, 1965, p. 13, col. 2.

¹⁷⁸The Daily Progress, April 21, 1965, p. B-1, col. 5.

¹⁷⁹Charlottesville, Virginia School Board Minutes, April 22, 1965, p. 1.

seat on May 17, 1965. Agitation for a black appointment to the School Board continued. The Charlottesville Churchmen for Social Action pointed to the need for a black member of the School Board.¹⁸⁰

The School Board conducted a regular meeting on May 20, 1965. Two items of business were of particular significance. The State Department of Education was requested to approve a temporary school day for grades seven, eight, and nine beginning in September, 1965. The temporary school day was to remain in force until such time that the junior high school buildings were completed. McGuffey School was to house the seventh and eighth grades, while the ninth grade was to be housed at Lane High School. The second item of business was the approval of a statement of "Policies and Plans for Compliance under Title VI of the Civil Rights Act of 1964." It was noted in the statement that four thousand seven hundred eighty-nine white and one thousand four hundred forty-nine black pupils were enrolled in Charlottesville Public Schools. It was stated further that:

. . . One of the elementary schools was formerly all-Negro by assignment and the jointly operated high school was formerly all-Negro by assignment. In accordance with the freedom of choice plan under which the School Board has operated for three (3) years, explained more fully below, three (3) of the elementary schools are integrated as is the high school operated solely by the City. Both junior high schools will be integrated.

¹⁸⁰The Daily Progress, May 20, 1965, p. 21, col. 2.

There are 288 teachers employed for the current session of whom 239 are white and 49 are Negro. White teachers are teaching in schools formerly all-white, but Negro teachers for the 1965-66 session will teach in formerly all-Negro and formerly all-white schools.¹⁸¹

The policy of compliance evoked criticism from Eugene Williams, Jr. His reaction was that he saw another court suit in the making with the continued operation of Burley High School as a facility for blacks. The Chairman of the School Board advised Williams to refrain from further public comment until he had an opportunity to read the policy statement.¹⁸²

The Citizens' Democratic Council went on record in favor of having a black on the School Board, and it was ready to prepare a list of willing, qualified black citizens. Boden discussed the problems that the absence of a black on the School Board created. He said:

The fact that the Negro community is not represented on the Board shows there is a lack of communication between the Negro and white segments of the population.

The situation shows there is an absence of any rapport between the Board and a significant portion of the community.¹⁸³

Four groups which advocated immediate steps to end segregation announced that they planned to meet on June 1,

¹⁸¹Charlottesville, Virginia School Board Minutes, May 20, 1965, p. 6.

¹⁸²The Daily Progress, May 21, 1965, p. 1, col. 1.

¹⁸³The Daily Progress, May 26, 1965, p. 25, col. 2.

1965 at the Mt. Zion Baptist Church (Black). The groups were: NAACP, Citizens' Democratic Council, Council for Human Relations, and Charlottesville Churchmen for Social Action.

The School Board was invited to attend the meeting. The School Board was unable to attend because it was scheduled to participate in a previously arranged school function. An unofficial School Board representative, Edward A. Mearns, Jr., Professor of Law and Assistant Dean at the University of Virginia Law School, attended the meeting. It was learned later that Mearns was the author of the civil rights compliance policy of the School Board. He cautioned the groups against excessive pressure on the School Board. He said it ". . . would do more harm than good to the cause of integration."¹⁸⁴ It was not clear whether or not the School Board authorized Mearns to speak, but he hinted broadly that the School Board discussed plans for further desegregation which would satisfy everyone there. Mearns said:

Don't force the Board into a corner without leaving the back door open. In my opinion, the odds are in your favor that you will come out ahead in September, 1965.¹⁸⁵

A spokesman from a previously unidentified group, the Charlottesville Freedom Movement, stood to speak at the meeting. He said: "We will continue to march, and we will stay in

¹⁸⁴The Daily Progress, June 2, 1965, p. 25, col. 4.

¹⁸⁵Ibid.

the streets . . ." until the School Board solved the problem of school segregation.¹⁸⁶ Mearns asked the man if further marches were necessary if the group knew the School Board was considering plans that provided for considerable City-wide desegregation, including a white enrollment at Jefferson School of approximately seventy per cent. He did not elaborate further on that point.¹⁸⁷

Drewary Brown, President of the NAACP, spoke at the meeting. He presented the NAACP position as follows:

Our task will not be finished until all signs of segregation are out of sight. The School Board has yet to submit a plan whereby every Negro child of school age can get an education free from any sign of segregation.

We . . . must not be fooled by the School Board or HEW by the adopted freedom of choice desegregation plan. We have come too far to stop here. We want every Negro child of school age to be taken out of a segregated school. We also want an integrated faculty in every school in the city.¹⁸⁸

The School Board met with representatives of several groups on June 3, 1965. Mearns attended the meeting, as did Brown, NAACP President, and Boden of the Citizens' Democratic Council. The School Board appeared ready to abandon the freedom-of-choice attendance plan.¹⁸⁹

¹⁸⁶Ibid.

¹⁸⁷Ibid.

¹⁸⁸Ibid.

¹⁸⁹The Daily Progress, June 4, 1965, p. 1, col. 5.

That day, pupils received their final report cards. The pupils discovered that no school assignment was provided on the report card. They found, instead, a message to the effect that no school assignments were made at that time because of overcrowding that resulted at some schools. Assignments were not to be made until the School Board took some further action.¹⁹⁰

The representatives of the groups at the meeting made points similar to those that were presented previously at the Mt. Zion Baptist Church. They sought action by the School Board which would bring further school desegregation. Such action was in accordance with the School Board agreement of compliance with the 1964 Civil Rights Act.¹⁹¹

The problem of some overcrowded schools resulted from the freedom-of-choice assignment plan. Parents of black pupils who attended Jefferson Elementary School were encouraged by the four groups from the meeting held at the Mt. Zion Church to enroll their children in other City elementary schools. The result led to overcrowding of two schools in particular. The freedom-of-choice plan became unworkable as a result.

The delima faced by the School Board was a topic of community interest. It appeared as if Charlottesville were

¹⁹⁰Ibid.

¹⁹¹Ibid.

divided generally into three fields of thought. Karl W. Runser, a staff writer for The Daily Progress, identified the following three groups:

. . . The first always has felt and always will feel that integration is no good, period. They will not accept, like it or not, what appears to be inevitable. They know where they're going to send their kids, they say--which means it won't be to a public school.

The second group, the moderates, will not get out and campaign for it but believes integration should come. They believe Charlottesville has come a long way since the first desegregation suit was filed in 1956. They believe there is more to be done--in a steady but orderly manner. They're the ones who point proudly to the newcomer that Charlottesville has been peaceful the last decade, in contrast to other Southern cities like Danville and Selma and Birmingham.

The third is a more liberal group, which says virtually nothing has been accomplished and demands immediate, drastic action to correct the situation. It lays all blame in the matter squarely on the School Board, implying that the Board and the administration are busy ignoring the segregation problem rather than working to correct it.¹⁹²

Runser implied that the suggestions of Professor Mearns at the Mt. Zion Baptist Church meeting were being considered by the School Board. Plans of such a comprehensive nature took time to prepare. The planning of the School Board was more likely to be more productive and encompassing if the liberal groups reduced their pressure on the School Board, according to Runser.¹⁹³

¹⁹²The Daily Progress, June 8, 1965, p. 4, col. 6.

¹⁹³Ibid.

The City Council appointed the first black to the School Board on June 21, 1965.¹⁹⁴ Raymond L. Bell, a funeral home co-owner and manager, was applauded as a good choice for the School Board.¹⁹⁵ His term began on July 1, 1965.

The Local NAACP announced a shift in desegregation strategy. The shift came in an announcement on June 24, 1965. The organization promised the City of Charlottesville a vigorous campaign to seek better employment opportunities for blacks. The weapon planned for use was Title VII--Fair Employment Practices of the 1964 Civil Rights Act.¹⁹⁶

The Superintendent, George C. Tramontin, announced on June 28, 1965 that the School Board planned to consider a new pupil assignment plan on June 30. Considerable time and attention was spent on the problem. Tramontin was quoted as stating:

The Board has taken into consideration a wide variety of concerns such as maintaining the concept of the neighborhood school, disrupting existing school enrollments as little as possible, providing the best educational program for each school, assigning a pupil to a school as close to his home because of safety factors in walking and being transported, and providing a plan which will be long-range and not require drastic revision every few years.

¹⁹⁴Charlottesville, Virginia City Council Minutes, June 21, 1965, Minute Book K, p. 301.

¹⁹⁵Editorial, The Daily Progress, June 23, 1965, p. 4, col. 1.

¹⁹⁶The Daily Progress, June 24, 1965, p. 23, col. 7.

The assignment plan . . . which the Board feels achieves these objectives as closely as possible will be proposed at the Board meeting on Wednesday.¹⁹⁷

Two hundred interested persons attended the School Board meeting on June 30, 1965. The Superintendent presented the new assignment plan to the School Board and the public. A few surprises were in store for most of the audience. Jefferson Elementary School was abolished. Its new status was to serve as the location of the junior high schools, housing all seventh, eighth, and ninth grade pupils on a split-shift basis until the new schools were completed. The School Board previously had adopted a plan for seventh and eighth graders to attend McGuffey Elementary School on a split-shift basis, with ninth graders attending Lane High School.

Elementary school attendance areas were drawn in such a way that two white elementary schools, Burnley-Moran and Clark, received the first enrollments of black pupils. Johnson, McGuffey, and Venable Schools continued to have black enrollments, though the enrollment at McGuffey was to be predominantly black, about seventy-five per cent, according to the school administrators. Greenbrier Elementary School was the only remaining elementary school with no black pupils. Black teachers were transferred to Greenbrier

¹⁹⁷The Daily Progress, June 28, 1965, p. 21, col. 5.

School, however, as they were transferred to all other schools in the City.¹⁹⁸ The black Principal of Jefferson was transferred to McGuffey School.

The Superintendent said that the plan was made ". . . with complete disregard to race, creed, or national origin. We did not account for the number of Negro and white children in a district." He stated further in defense of the plan that:

There are no easy and perfect solutions to the problem. There may be some things wrong with this plan, but it is the best we could come up with.

The Board feels this plan presents the soundest educational plan possible under existing circumstances by maintaining as nearly as possible the concept of the neighborhood school, and by imposing another advantage. We'll be able to live with it for the next five or ten years.¹⁹⁹

The "liberals" identified by Karl Runser were undoubtedly pleased with the over-all impact of the plan. The NAACP, in particular, was satisfied with the action of the School Board. Drewary Brown, President of the NAACP, said that evening: "This plan pleases us. It is one of the plans we have asked for all along."²⁰⁰ Richard E. Boden of the Citizens' Democratic Council said the plan was, ". . . a big step in the right direction."²⁰¹

¹⁹⁸The Daily Progress, July 1, 1965, p. 1, col. 1.

¹⁹⁹Ibid.

²⁰⁰Ibid.

²⁰¹Ibid.

The school attendance zones and no-transfer policy brought no immediate, organized opposition from the public; however, Runser described some individual reactions in his weekly column in The Daily Progress. He stated that:

Reaction to the City School Board's adoption of a system of elementary school districts and the desegregation it will bring has varied, as anticipated, from great pleasure to bitter anger. But so far, most of the comment has been private, and no organized public support or opposition has been demonstrated.

.
The immediate reaction of some others to what the Board did Wednesday was to start thinking about selling their homes and moving to the Greenbrier district, where the school will have no Negro pupils in the near future. This fact has led some observers to predict a real estate and home building boom in the district's subdivision.

The district plan brought at least one midnight telephone call to a City Councilman--one of the hazards of the job, it seems--and other city officials have been harangued by angry citizens.²⁰²

In the same newspaper edition, there appeared an article describing the beginnings of a protest movement. The protest originated with the group named the Charlottesville Freedom Movement which claimed to have two hundred fifty members, both black and white. The chief spokesman for the Charlottesville Freedom Movement was Albert M. Tyree, a black postal clerk. Tyree's statement in regard to the school attendance area plan of the School Board made clear the opposition of the Charlottesville Freedom Movement to the plan. The statement was quoted in the daily newspaper as follows:

²⁰²The Daily Progress, July 6, 1965, p. 4, col. 6.

Simply moving the Negro school from Jefferson to McGuffey does not alter the fact that a Negro school still exists in Charlottesville.

We're tired of receiving insults in place of plans for complete desegregation of schools. The students that graduated from high school this spring were in first grade when the original desegregation order was given. Those students have attended segregated school their entire lives.

How much longer must people wait to receive desegregated schools in Charlottesville?²⁰³

The School Board moved ahead with plans for the junior high schools. The two schools were to operate at Jefferson School on a split-shift basis. One student body and faculty were to attend the school in the morning. The student body and faculty of the other school were to attend the school in the afternoon. The School Board Chairman, Mrs. Edith H. Rudy, drew the name of Walker Junior High School as the school to have the morning session. She did so on the recommendation of the Superintendent of Schools because he said no one could decide why one school or the other should attend school in the morning or afternoon.²⁰⁴

The Charlottesville Freedom Movement continued to place pressure on the School Board. The Movement was dissatisfied with the plans of the School Board for McGuffey School. The Movement threatened direct action if the School Board did not consider changing the attendance plan. Tyree wrote the

²⁰³Ibid., p. 13, col. 5.

²⁰⁴Charlottesville, Virginia School Board Minutes, July 22, 1965, pp. 5-6.

following on August 25, 1965, to the School Board about the McGuffey School situation:

As of this date nothing has been done to correct this deplorable situation. We, therefore, feel that the only proper course of action at this time is for the school board to change the McGuffey district. Mr. Tucker, the NAACP lawyer, submitted an alternate plan, based on accurate population figures, which we feel will provide an equal education opportunity.

These parents, as well as the Charlottesville Freedom Movement, feel the present plan is intolerable. If Mr. Tucker's plan is not accepted, we will initiate non-violent direct action to dramatize to the public the deplorable situation at McGuffey.²⁰⁵

Tyree later indicated that the Charlottesville Freedom Movement had discussed the use of boycotts, picketing, and other forms of civil disobedience. Civil rights groups with national affiliation, including CORE, also were being consulted, according to Tyree.²⁰⁶

The Chairman of the School Board replied stating the position of the School Board on the school attendance area plan. Neither party released the contents of the letter. Tyree said he would not comment on the letter from the School Board Chairman until he talked with S. W. Tucker, the NAACP attorney.

The conflict sparked by the Charlottesville Freedom Movement brought concern to the entire City. Tensions and

²⁰⁵Letter addressed to Edith H. Rudy, Chairman, Charlottesville School Board from Albert M. Tyree, Chairman, Charlottesville Freedom Movement, dated August 25, 1965.

²⁰⁶The Daily Progress, August 26, 1965, p. B-1, col. 6.

emotions seemed to run high. Runser wrote the following in one of his newspaper summaries:

Each district started at the city limits and came toward the center of town as far as capacities allowed. What was left became the McGuffey district. Because of residential patterns, most of its pupils will be Negroes.

. . . some Negro parents have protested that while they live only four or five blocks from Venable, their children will have to attend McGuffey.

.
A lot of people are dismayed at the prospect of protest marches or sit-ins occurring in Charlottesville, where the race situation has been relatively peaceful and distinct progress has been made in school desegregation and employment.

The point at which everybody will be satisfied, in fact, seems to grow more vague each time the city takes a step forward.²⁰⁷

²⁰⁷The Daily Progress, August 31, 1965, p. 4, col. 6.

Chapter 4

THE THIRD TIME PERIOD FROM SEPTEMBER 1, 1965 THROUGH MARCH 20, 1969

The Charlottesville Freedom Movement continued to place pressure on the School Board and school administration. Albert M. Tyree, the spokesman for the group, asked S. W. Tucker, NAACP attorney, to confer with John S. Battle, Jr., attorney for the School Board. On September 3, 1965, Tucker requested that demonstrations planned by the Charlottesville Freedom Movement be postponed until after he talked with Battle. Tyree gave evidence of the position of the Charlottesville Freedom Movement with the following statement:

The school district plan adopted by the School Board on June 30 was alleged to be consistent with the concept of neighborhood schools. This, we feel, is completely incorrect. Any plan which has school districts more than two miles wide, such as this plan does, cannot by any stretch of the imagination be called a neighborhood school plan.

. . . under this plan McGuffey School is on the extreme edge of its district. Grade schools are situated in such a manner that it is ridiculous to even think in terms of neighborhood schools in Charlottesville.

We contend that this map was constructed to be consistent with the policy of delaying desegregation of the schools of Charlottesville. This plan moves students from an integrated school to a segregated school. It also takes all of the children in the urban renewal project (Westhaven) and puts them in the McGuffey School.

By doing this, the School Board says to these people that they are not good enough to associate with other Negroes and whites, and, therefore, all must go to one school.

True integration plans for Charlottesville would include the integration of every school in Charlottesville. The School Board has said in effect--by not integrating Greenbrier--the Negroes are not worthy of attending schools with wealthy whites.

These are but a few of the reasons why we feel that the Charlottesville Freedom Movement has been meeting with national civil rights organizations. The Congress of Racial Equality and the Southern Christian Leadership Conference have offered their complete support in this matter.¹

Public schools opened on September 7, 1965. There appeared to be some confusion in the morning at McGuffey School. Parents of black pupils enrolled at the school expressed dissatisfaction with the predominately-black enrollment. The NAACP leadership also expressed displeasure with the enrollment. The McGuffey enrollment was estimated to be ninety per cent black. NAACP sentiment was stated as follows:

. . . From our observation, 98 per cent of the student body will be Negro and two per cent white.

We had been led to believe that approximately 30 per cent of the enrollment would be white and 70 per cent Negro.

Since this is not the case, the NAACP intends to take further action.²

A request was made to the School Board for enrollment figures for the various schools in the City. The NAACP attorney wanted the number of pupils of each race that were assigned to each school. He considered access to this information to be necessary before he could recommend further

¹Charlottesville, Virginia The Daily Progress, September 4, 1965, p. 13, col. 6.

²The Daily Progress, September 7, 1965, p. 17, col. 6.

action.³

The NAACP continued to maintain pressure upon the School Board. A letter from the NAACP was delivered to the school administration office on the morning of September 9, 1965. It was stated in the letter that:

. . . The NAACP shares the extreme discontent of many of the Negro parents of Charlottesville, and if we are to retain any semblance of control, we must either see that the situation is corrected immediately or join in leading our people in protests. We, therefore, give notice that if the situation is not satisfactorily adjusted this week, we shall be meeting on Friday evening to discuss and plan direct action. . . .⁴

It was stated further in the letter that the NAACP was opposed to any school enrollment with greater than fifty per cent black pupils. The NAACP adopted this position on the basis of the fact that the City population was twenty per cent black.

A special meeting was held that day by the School Board to consider the NAACP letter. The School Board decided to reply directly to the NAACP. It was stated in the letter to the NAACP that the School Board "did not plan to make changes because change would require taking race into

³The Daily Progress, September 8, 1965, p. 21, col. 6.

⁴Letter addressed to School Board, Charlottesville, Virginia from Drewary Brown, President, NAACP, dated September 8, 1965.

consideration which it was forbidden to do" under the Civil Rights Act of 1964.⁵

The NAACP conducted the public meeting on the next evening, September 10, 1965, at the First Baptist Church (Black). The meeting was not conducted as a prelude to protest. A mood of sober reconsideration was created for the one hundred twenty concerned citizens in attendance. Tucker stated: "I don't see where you have a whole lot to cry about now that the new assignment plan, adopted on June 30, is in effect." He stated further:

We have a situation where the Board has brought itself into line with the requirements of the Constitution.

.
The Board is beyond criticism in its faculty appointments, and it is beyond judicial reproach in the matter of pupil assignments. I don't think any court would hold the Board responsible for the segregated here.⁶

Some in the audience might not have been pleased with the comments Tucker presented. In Tucker's opinion, however, the School Board was attempting to achieve a delicate balance between those who demanded complete desegregation and those who demanded that the status quo be maintained. Tucker stated:

⁵Letter addressed to Drewary Brown, President, NAACP, Charlottesville, Virginia, from Edith H. Rudy, Chairman, Charlottesville School Board, dated September 9, 1965.

⁶The Daily Progress, September 11, 1965, p. 1, col. 5.

Can't you recognize that the Board is in a bind?
 . . . There are enough rebels and rabid segregation-
 ists around who oppose the Board for what it has al-
 ready done. And I warn you . . . , I believe they
 can beat you at what you're talking about doing.⁷

Drewary Brown, NAACP President, agreed with Tucker's
 assessment of the situation. He called for a reduction in
 the vocal protests and threatened demonstrations. Brown ex-
 pressed the NAACP position in the following manner:

. . . we realize the urgent need for an atmo-
 sphere of calmness insofar as the children of Char-
 lottesville may be affected. Their task of learning
 to live together, work together, and to learn to-
 gether should not be complicated by the bitterness
 which would result from open conflict.⁸

Tucker's advice was characterized later as "Uncle Tomism" by
 CORE field workers who were called to Charlottesville from
 Northern Virginia by the Charlottesville Freedom Movement.
 The purpose of the CORE workers was to stir the people to
 action in black neighborhoods. The CORE workers were held
 in suspicion by the black leadership and did not achieve any
 apparent results.⁹ The meeting at which Tucker spoke effec-
 tively satisfied the black critics of the School Board.
 Public criticism, or talk of demonstrations against the
 McGuffey School pupil situation, stopped. The City school
 principals reported on September 16, 1965 that: "School

⁷Ibid.

⁸Ibid.

⁹The Daily Progress, September 14, 1965, p. 4, col. 6.

opening was one of the best and smoothest . . . despite expectations."¹⁰

The School Board was recognized as having taken the initiative in the desegregation of the schools. The School Board continued to exercise the initiative. A special meeting was held on October 8, 1965 for the purpose of considering the application for federal funds available to help with problems related to school desegregation under Title IV of the Civil Rights Act of 1964. The School Board approved a request for federal financial assistance in the amount of \$37,280. Those funds, if approved, were to be used to provide both in-service education for teachers and a full-time advisor in the field of school desegregation problems.¹¹

School Board member Thomas J. Michie, Jr. said: "We don't expect this to solve all our problems, but it gives us a start."¹²

In the meantime, the State Assistant Superintendent for Administration and Finance, J. G. Blount, Jr., certified that the CEF did not receive the majority of its support from the tuition grants. Such certification was necessary

¹⁰Charlottesville, Virginia School Board Minutes, September 16, 1965, p. 3.

¹¹Charlottesville, Virginia School Board Minutes, October 8, 1965, p. 1.

¹²The Daily Progress, October 9, 1965, p. 9, col. 4.

if the CEF were to receive State and City funds. November 15, 1965 was set as the deadline for applications to be submitted by those eligible to receive the State tuition grants of \$275 for high school pupils and \$250 for elementary pupils. Payments were made directly to the parents or guardians by the State Department of Education. Those payments were deducted from school funds distributed by the State to the City.¹³ The approved tuition grants included two hundred thirty at Robert E. Lee School and two hundred forty at Rock Hill Academy.¹⁴ Applications for tuition grants had decreased by one-third from the number received during the previous year in Charlottesville. Three hundred eighty-two applications from Charlottesville were approved for the current year. Six hundred twenty-five had applied during the previous year.¹⁵

The Superintendent announced to the School Board on November 11, 1965 that the two junior high schools under construction would not be ready for school operation before April, 1966. It had been expected that the buildings would be completed for use at the end of the first semester of the

¹³The Daily Progress, November 6, 1965, p. 9, col. 1.

¹⁴The Daily Progress, December 10, 1965, p. 21, col. 7.

¹⁵The Daily Progress, November 25, 1965, p. B-1, col. 5.

school year.¹⁶ The news meant that junior high school pupils and teachers would continue their work on a half-day basis at Jefferson School.

The School Board heard views and requests from the public on the school budget on December 7, 1965. Teachers requested additional funds for reading specialists to help pupils with severe reading handicaps. Parents asked the School Board "to provide more special teachers and more room to help the many slow learners."¹⁷ Two days later, on December 9, 1965, the Board discussed and approved extending an invitation to HEW officials for a meeting to discuss obtaining federal funds for special school projects.¹⁸

The School Board Chairman, Mrs. Edith H. Rudy, was aware of the concern for improved school programs. Speaking before the Citizens' Democratic Council on December 13, 1965, she stated: "Your School Board is dedicated to the very best possible school system for all. The task will be easier with an alert community behind us."¹⁹

¹⁶Charlottesville, Virginia School Board Minutes, November 11, 1965, p. 6.

¹⁷Charlottesville, Virginia School Board Minutes, December 7, 1965, p. 4.

¹⁸Charlottesville, Virginia School Board Minutes, December 9, 1965, p. 5.

¹⁹The Daily Progress, December 14, 1965, p. 17, col. 1.

Two City Council veterans, Louis L. Scribner and John R. Ponton, announced their intentions not to run for reelection. They cited business reasons as the prime motivation for their decisions.²⁰ A week later, on December 28, 1965, two Democrats announced their intentions of running for the vacated Council seats. Those men were William R. Hill, funeral home operator, a former Councilman and former member of the Virginia House of Delegates, and John E. Trevillian, an automobile dealer.²¹ The Republican Party later announced two candidates for the two City Council seats. They were G. A. Vogt, industrial executive, and Robert S. Johnson, an economics professor at the University of Virginia. The entry of the two Republicans marked the first time that the Republicans had contested more than one Council seat in an election.²²

The School Board met for a regular business session on April 13, 1966. The School Board heard from the Superintendent that the junior high schools were not ready for occupancy and that they would not be ready for use until the next school year. The School Board went into executive session to discuss school boundaries for elementary schools.²³

²⁰The Daily Progress, December 22, 1965, p. 21, col. 5, and December 23, 1965, p. 15, col. 7.

²¹The Daily Progress, December 28, 1965, p. 13, col. 1.

²²The Daily Progress, April 14, 1966, p. 23, col. 1.

²³Charlottesville, Virginia School Board Minutes, April 13, 1966, p. 7.

Redistricting was required to put the Jefferson School building back into the program as an elementary school after it was vacated when the junior high schools moved to new buildings. Plans were made for McGuffey School to be used as a special education center.

The Superintendent of Schools, George C. Tramontin, was invited to participate in an HEW conference in Washington, D. C. The focus of the conference was school desegregation. Tramontin served on a panel and addressed the following remarks to his audience in Washington:

. . . I believe we've made people feel guilty about segregation long enough. They must be persuaded that its not good educationally and not good economically.

The credit for making the program a success belongs to the professional staff and not just to the Superintendent.²⁴

The two Democratic candidates for City Council spoke before the Citizens' Democratic Committee on April 27, 1966. The candidates agreed that the most pressing need in the City was additional classroom space.²⁵ A week later, on May 2, 1966, City Council ordered a study of the need for high school space and space at Greenbrier Elementary School.²⁶

²⁴The Daily Progress, April 25, 1966, p. 21, col. 6.

²⁵The Daily Progress, April 27, 1966, p. B-1, col.

²⁶The Daily Progress, May 3, 1966, p. B-1, col. 4.

Vocational education needs later became a topic for discussion in the political campaign.²⁷

On May 9, 1966, the School Board announced plans for new elementary school attendance areas.²⁸ The new Jefferson area was drawn to include a white enrollment of about forty per cent. Many whites included in the new Jefferson School attendance area about six years earlier had protested the location of the public housing project on Cherry Avenue on the Southern side of the City. The public housing project, if located on the Cherry Avenue site, implied the threat of a desegregated Johnson Elementary School. Opposition to the proposed site seemed to center on the objections of whites to school desegregation. The pending action of the School Board placed many of the children of the same people in the former black elementary school and in the racial minority in that school.

The protesters against the new elementary school attendance area boundaries attended the meeting of the School Board in large numbers. The auditorium at Venable Elementary School overflowed on the evening of May 12, 1966, when the School Board considered the new elementary school attendance area plan. Mrs. Rudy told the audience, when asked, that

²⁷The Daily Progress, May 5, 1966, p. B-1, col. 4.

²⁸The Daily Progress, May 9, 1966, p. 1, col. 1 and p. 15.

the new Jefferson School enrollment was expected to be sixty per cent black.²⁹ The anxiety of the predominately-white audience led one person to offer the suggestion that Jefferson School be converted to a sixth-grade school for all sixth graders in the City.³⁰ The remaining elementary schools, except McGuffey, would house grades one through five. School Board member Thomas J. Michie, Jr. asked the audience if there were any objections to a plan which would provide for all sixth graders in the City to attend Jefferson School. No objection was expressed.³¹ Two weeks later, on May 26, 1966, the School Board met before another large audience and approved new elementary school attendance-area plans in which all sixth-grade pupils in the City would attend Jefferson School. Junior high school attendance areas were approved with less difficulty on the same evening.³² The Reverend Henry B. Mitchell, a black minister, said the plan "is a good one and we ought to go along with it." Drewary Brown, President of the NAACP, stated that the NAACP objected to

²⁹The Daily Progress, May 13, 1966, p. 17, col. 1.

³⁰Charlottesville, Virginia School Board Minutes, May 12, 1966, pp. 5-6.

³¹The Daily Progress, May 13, 1966, p. 17, col. 1.

³²Charlottesville, Virginia School Board Minutes, May 26, 1966, p. 1.

the plan then in operation, but he offered no comment on the new plan.³³

The School Board encountered a severe crisis during this period of time. Teacher unrest was afoot. An elementary principal of many years of service, both as teacher and principal, resigned her position at the end of her term, although she had not reached the usual retirement age. Patrons began to question the amount of teacher turnover the school system was experiencing. The School Board announced on May 20, 1966 that the National Education Association (NEA) had been requested to investigate the situation.³⁴ The League of Women Voters supported the School Board action. The League said that such a study was necessary because the "climate had deteriorated."³⁵ The Superintendent of Schools, George C. Tramontin, seemed to be the focal point of the problem, but the School Board assured him of its support.³⁶

The President of the Charlottesville Education Association (CEA), Mrs. Lillian H. Hurst, asked for a full investigation of the situation. The Virginia Education Association (VEA) should be called upon to conduct the investigation

³³The Daily Progress, May 27, 1966, p. 17, col. 1.

³⁴The Daily Progress, May 20, 1966, p. 1, col. 3.

³⁵The Daily Progress, May 23, 1966, p. 19, col. 1.

³⁶The Daily Progress, May 24, 1966, p. 1, col. 5.

if the National Education Association was unprepared for such duty, according to Mrs. Hurst.³⁷

An unsigned flyer was circulated door-to-door in many neighborhoods during the latter part of May. The anonymous publishers of the flyer were critical of the policies of the school administration. The originators of the flyer later identified themselves as the "Concerned Citizens of Charlottesville." The chief spokesman for the "Concerned Citizens" was William H. Pritchett, a graduate student at the University of Virginia, and a former pupil in the Charlottesville Public Schools. Pritchett's concern was made clear in a statement on May 25, 1966. It appeared that Pritchett felt a debt of gratitude to some of his former teachers and was not pleased to find them unhappy with the circumstances in which they found themselves.³⁸ A few days later, three parents revealed that they had attempted an investigation of the situation. They were a housewife, an attorney, and the President of the PTA Council for the City. They said they had taken action at the suggestion of some School Board members. The parents said they were concerned about personnel practices which brought low morale among teachers, high teacher turnover, and reluctance of teachers

³⁷The Daily Progress, May 24, 1966, p. 9, col. 3.

³⁸The Daily Progress, May 25, 1966, p. B-1, col. 8.

to discuss the situation. The three parents attempted to discover the source of rumors and hearsay, and presented their findings to the School Board on April 18, 1966. The School Board took no further action and, thus, discouraged the parents in that approach to a resolution of the problem.³⁹

The School Board announced on May 30, 1966 that the NEA planned to initiate an investigation in Charlottesville on June 7.⁴⁰ One hundred thirty-six teachers petitioned the VEA for an immediate investigation. The petition cited the breakdown of communications between administrators and teachers and the fear of the teachers to speak freely as reasons for wanting the VEA to conduct the investigation.⁴¹ The VEA announced on June 1 that it would conduct the Charlottesville investigation. The NEA said it was unnecessary for NEA representatives to go to Charlottesville if the VEA planned to conduct the investigation.⁴²

The VEA Professional Rights and Responsibilities Committee came to Charlottesville on June 7, 1966. The Committee was chaired by a School Superintendent who was a former VEA President. The Committee spent the day in conferences with

³⁹The Daily Progress, May 28, 1966, p. 13, col. 4.

⁴⁰The Daily Progress, May 30, 1966, p. 17, col. 5.

⁴¹The Daily Progress, May 31, 1966, p. 1, col. 1.

⁴²The Daily Progress, June 1, 1966, p. 1, col. 1.

the Superintendent, the School Board, the CEA Executive Committee, the CEA membership, the Lane High School faculty, and individual teachers.⁴³ The Committee asked anyone who had direct information that would help clarify the situation to send that information to the Committee at VEA headquarters in Richmond. The Committee left Charlottesville that evening to deliberate on the findings and evidence later sent to Richmond.

Tramontin announced that he planned a series of responses to charges against him.⁴⁴ He stated that teachers were reluctant to work with slow learners and average students. The teachers became upset with him, according to Tramontin, because he wanted teachers to increase their efforts in working with such students.⁴⁵

The VEA report on the investigation was made public on June 20, 1966. The Committee recommended that the School Board replace the Superintendent. The Committee listed a series of deficiencies in the performance of the Superintendent which was discovered from the day-long hearing in Charlottesville, or from correspondence received later from Charlottesville patrons and teachers. Those deficiencies

⁴³The Daily Progress, June 7, 1966, p. 13, col. 1.

⁴⁴Charlottesville, Virginia School Board Minutes, June 9, 1966, p. 4.

⁴⁵The Daily Progress, June 10, 1966, p. 1, col. 3.

were reported in the following findings:

- #5. While the administering School Board has praise for many facets of the Superintendent's administration, they have recognized areas in which performance of the Superintendent has been less than desirable. These center mainly on his treatment of personnel and its effect upon teacher morale and concern that the Board has not been receiving objective reports from the Superintendent concerning problems which have arisen.
- #6. Morale among teachers and supervisory personnel is at such a low point as to be destructive of the effective operation of the school system. This is evidenced by the numerous and vigorously expressed opinions of teachers and administrators, many with decades of successful experience.
- #7. In contracting for their services the Superintendent as a matter of policy, has required the teachers to agree to a statement interpreted by many of them as requiring a rather rigid, unquestioning support of the present and all future policies of the Superintendent. While the requirement, on its face, may seem relatively innocuous, the teachers have come to feel strongly that uncritical acceptance of all existing and forthcoming policies is required.
- #8. Many of the teachers in the school system believe that the Superintendent has established and operates a system of informal surveillance and reporting concerning teacher activities. There appears to be credible evidence to substantiate the existence of such a system.
- #9. In certain instances teachers who have not evidenced what the Superintendent considered to be full loyalty to his programs and procedures have failed to be promoted as expected, or found their work load changed or unduly increased, or have been transferred to other schools, or have been put on probation, or have had difficulty in obtaining new employment, apparently due to interference by the Superintendent.
- #10. It has been reported that abolition of department heads at Lane High School, the lack of support

accorded its principal by the school administration, uncertainty as to lines of authority and fear of reprisals among the teaching staff have resulted in a reduction of the caliber of education received by the students. This school has not been evaluated by the State Department for many years.

.

- #12. The Superintendent apparently has adopted an attitude toward many of his teachers which they accept as being one of hostility and suspicion resulting in great unrest among teacher and administrative personnel. There is a feeling that he has attempted to control the Charlottesville Education Association. There is also the feeling that he functions without sufficiently effective consultation with advisory personnel. He has adopted what is felt by many to be an inhumane and dictatorial attitude toward many of his teachers, his administrative staff and those responsible to him in any way.⁴⁶

The editor of the daily newspaper was chagrined by certain conclusions made in the report. He was critical of the School Board. He stated:

While Mr. Tramontin is the central figure in the case, the School Board itself is not without blame. It is disturbing to read in the VEA report that the Board "recognized areas in which performance of the Superintendent has been less than favorable."⁴⁷

⁴⁶Virginia Education Association Board of Directors, "Report of the Findings and Recommendations of the Board of Directors of the Virginia Education Association Based Upon an Investigation Conducted by its Professional Rights and Responsibilities Commission at the Request of a Majority of the Individual Members of the Charlottesville Education Association" (Richmond: Virginia Education Association, June 17, 1966), pp. 5-6. (Mimeographed.)

⁴⁷Editorial, The Daily Progress, June 20, 1966, p. 4, col. 1.

City Council met on the evening of June 20, 1966 to appoint three persons to the School Board. Two School Board members declined reappointment. The Chairman, Mrs. Rudy, indicated she would serve another term if she were reappointed by City Council. The City Council chose to appoint three new persons to the School Board with terms beginning July 1, 1966: Hovey S. Dabney, a banker; Robert R. Humphris, a Professor of Engineering at the University; and J. A. Kessler, Jr., an engineer and construction firm executive.⁴⁸ It was understood that these men, as well as the remaining members of the School Board, had a serious challenge to resolve. Councilman Scribner commented as follows:

[This is] what could be one of the most critical periods in the history of the school system--even worse than when the schools were closed under Massive Resistance.⁴⁹

The School Board asked for Tramontin's resignation on June 24. His attorney advised him not to resign until he had an opportunity to hear specific charges against him.⁵⁰ In a series of meetings, the School Board attempted to clarify the terms of the contract of the Superintendent.⁵¹

⁴⁸Charlottesville, Virginia City Council Minutes, June 20, 1966, Minute Book K, p. 360.

⁴⁹The Daily Progress, June 21, 1966, p. 1, col. 5.

⁵⁰The Daily Progress, June 24, 1966, p. 1, col. 5.

⁵¹Charlottesville, Virginia School Board Minutes, June 25, 1966, p. 1, and June 26, 1966, p. 1.

Supporters of the Superintendent began a flurry of letters to the daily newspaper. It was claimed that Tramontin was being used as a scapegoat for desegregation.⁵² The School Board, nevertheless, maintained its position.

The annual reorganization meeting of the School Board was held at the office of the School Board attorney, J. Harry Michael, at 7:30 A. M. on July 1, 1966.⁵³ The first order of business, after reorganization, was to negotiate a settlement of the contract of Superintendent of Schools Tramontin. His attorney negotiated a settlement with the School Board. The Superintendent offered his resignation to the School Board on July 2, 1966. Tramontin agreed to release the School Board from the remaining three-year portion of his contract for a year's salary of \$15,000.⁵⁴ On July 6, 1966, the School Board authorized a full-scale survey and evaluation of the school system.⁵⁵

Two members of the faculty from the University of Virginia agreed to direct school operations on an interim basis. The School Board was given some time to locate a new

⁵²The Daily Progress, June 24, 1966, p. 4, col. 4 and July 12, 1966, p. 4, col. 5.

⁵³Charlottesville, Virginia School Board Minutes, July 1, 1966, p. 1.

⁵⁴Charlottesville, Virginia School Board Minutes, July 2, 1966, p. 1.

⁵⁵Charlottesville, Virginia School Board Minutes, July 6, 1966, p. 2.

Superintendent with some assurance that the school system would not collapse. The two men who agreed to help were Ralph W. Cherry, Dean of the School of Education, who acted as Superintendent, and William H. Seawell, Professor of Education, who acted as Associate Superintendent and performed the day-to-day work of the chief school administrator until a Superintendent was hired.⁵⁶

In the meantime, the school crisis previously described created repercussions in the established political order in Charlottesville. The two Republican candidates and their supporters hit hard at the school controversy in the latter stages of the campaign, even though they had agreed earlier that the school situation was not a proper subject for political debate. Kenneth E. Davis, Chairman of the Republican campaign, stated on June 1, 1966 that City Council must share the blame for the "present deplorable state" of conditions existing in the school system.⁵⁷ G. A. Vogt criticized City Council and, on June 1, 1966, stated the following:

I am most critical of the failure to pay heed to the people of our city and for failure to communicate with them. The present crisis in our school system can be attributed to this failure.⁵⁸

⁵⁶The Daily Progress, July 5, 1966, p. 1, col. 6.

⁵⁷The Daily Progress, June 1, 1966, p. 1, col. 1.

⁵⁸Ibid., p. 8, col. 8.

The Republicans kept hammering away at City Council during the school controversy.⁵⁹ The two Democratic candidates could do little more than deplore the Republican campaign tactics concerning the school controversy.⁶⁰ The two Democrats hardly could attack the City Council because both men were heirs-apparent to the two seats being vacated by Democrats.

On June 14, 1966, the Republican candidates, Johnson and Vogt, were elected. It was the first time Republicans scored a sweep of a slate in a local election in Charlottesville. Of 4334 votes cast, the candidates received the following: 2456 - Johnson (R); 2400 - Vogt (R); 2005 - Hill (D); and 1766 - Trevillian (D).⁶¹ There was little doubt on the part of the victorious candidates concerning the deciding factor in the election. Johnson made the following statement:

There is no doubt about it, the school controversy helped. The parents were rightfully concerned.

But, I feel winning was also a vote of confidence for the two-party system. It's hard to say which was the most important, but I'd have to stick with the school issue.⁶²

⁵⁹The Daily Progress, June 2, 1966, p. 21, col. 1.

⁶⁰The Daily Progress, June 3, 1966, p. 17, col. 4.

⁶¹The Daily Progress, June 15, 1966, p. 1, col. 7.

⁶²Ibid.

The School Board concentrated much energy during the month of July to interviewing candidates for the vacated Superintendency. The School Board met on July 14, 1966 for a regular meeting. The future plans for Burley High School, the joint, City-County black high school, were discussed. A suit, Williams v. School Board, was pending and aimed at stopping the operation of Burley High School. Plans for discontinuing the City's share of the operation of Burley High School after the coming school year were made public by the Chairman of the School Board at the meeting on July 14. No action was taken on the plans. Chairman Dr. W. Copley McLean said that attorneys for the plaintiffs and defendant in the Williams case were "in communication which may result in a solution."⁶³

On July 27, 1966, it was made public, unofficially, that Dr. Edward W. Rushton was the choice of the School Board for the next Superintendent of Schools.⁶⁴ The School Board announced on July 28 that Rushton was the choice to fill the vacant Superintendency. Rushton was then Superintendent of Schools in Roanoke, Virginia, a city of approximately 100,000 population. It was the largest city in Western Virginia. Rushton had established a reputation as an educational

⁶³Charlottesville, Virginia School Board Minutes, July 14, 1966, p. 7.

⁶⁴The Daily Progress, July 27, 1966, p. 1, col. 1.

innovator while in Roanoke with the school-within-a-school concept at the high school level, programmed instruction, and satellite feeding programs from high school kitchens to elementary schools. He was working then, apparently, under pressure from the Mayor of Roanoke, who was critical of school operating expenses in Roanoke. Rushton probably was pleased to move to Charlottesville to help stabilize the school problems of the City because he would to close by the University of Virginia and former professional associates who played a part in persuading him to make the move. He was appointed to the remaining three-year term of the vacated Superintendency to begin on August 15, 1966.⁶⁵ Rushton announced on July 30 that he intended to make no major changes in the schools. He intended to spend considerable time getting to know Charlottesville, the people, and the school system.⁶⁶

It was announced on July 27, 1966 that George Peabody College for Teachers of Nashville, Tennessee would make a survey of City schools. The Director of the Peabody Division of Surveys and Field Services indicated that approximately six months would be required to complete the survey.⁶⁷

⁶⁵Charlottesville, Virginia School Board Minutes, July 25, 1966, p. 1.

⁶⁶The Daily Progress, July 30, 1966, p. 9, col. 1.

⁶⁷The Daily Progress, July 27, 1966, p. 21, col. 1.

At a special meeting held by the School Board on August 12, 1966, a letter was presented to the School Board from certain black parents. Their children had been transferred to Burnley-Moran Elementary School from Venable Elementary School for the coming school year. Burnley-Moran was on the East end of the City, three miles away from their homes. Venable was only four or five blocks from where they lived. The parents requested that their children be transferred back to Venable. The families said that they were in low and middle-income brackets, that they could not afford to pay the fare for their children to ride buses, and that their children could not walk to Burnley-Moran because the distance was too great.⁶⁸ School Board members requested that the school administration investigate the situation to find out how many pupils were involved. It was suggested further by the School Board that perhaps a civic club might be willing to pay the cost of transporting these pupils if they were needy.⁶⁹

A report on the above matter was made to the School Board at the regular meeting on September 8, 1966. The School Board was informed that about ten children from five families were involved. The families seemed satisfied with

⁶⁸Charlottesville, Virginia School Board Minutes, August 12, 1966, p. 5.

⁶⁹Ibid.

the situation after being shown where their children would meet the bus for school in the mornings. One family was reported to need financial assistance. The Trinity Episcopal Church, of which Reverend Henry B. Mitchell was pastor, agreed to provide such assistance as was needed by the family for bus transportation. The family held membership in the Trinity Episcopal Church.⁷⁰ The School Board also was informed that the Community Action Organization (CAO) of the Office of Economic Opportunity (OEO) had been contacted. The CAO Director told Booker T. Reaves, Administrative Assistant to the Superintendent of Schools, that the Washington office reported that no additional funds were available. The OEO office in Richmond reported it could not get involved in pupil transportation unless OEO made an effort to help all of the pupils.⁷¹

An executive session was held by the School Board after the regular meeting. The purpose of the meeting was to discuss a tentative offer made by the Albemarle County School Board. The County School Board wanted to know whether or not the City School Board was interested in buying County school buildings located in the City. Those buildings included two elementary school buildings and one-half ownership

⁷⁰Charlottesville, Virginia School Board Minutes, September 8, 1966, p. 4.

⁷¹Ibid.

in Burley High School. All of the buildings were located near the center of the City and within three-fourths of a mile of each other. The proposal, if accepted, presented the City School Board with six schools in the downtown section of the City within one mile of each other. The following resolution was adopted unanimously by the City School Board:

Be It Resolved, That we the School Board of the City of Charlottesville formally advise the county that we are not interested in purchasing Rose Hill Drive Elementary School or McIntire School.

Be It Further Resolved, That our members on the Burley Board be instructed to enter formal negotiations with the county to reach a decision as to when the operation of Jackson P. Burley High School will be terminated and to reach a financial settlement for the ownership of Burley.⁷²

The County school officials expressed concern about the Burley High School building. The concern of the officials centered around the loss of space for County pupils if the County were denied the use of the building. They thought that the remaining County school buildings would not provide sufficient capacity to absorb the County pupils then enrolled at Burley High School without seriously overcrowding other County school facilities.⁷³

The private bus service offered to City school pupils became the subject of complaints.⁷⁴ The issue that was of

⁷²Ibid., p. 1.

⁷³The Daily Progress, October 14, 1966, p. 15, col. 5.

⁷⁴The Daily Progress, September 9, 1966, p. 17, col. 1.

particular concern involved the inconvenience of the service to sixth-grade pupils at Jefferson School.⁷⁵ Appeals were made to parents of children for help in solving the problem. The bus company claimed to be doing the best job it could considering the circumstances under which it was operating.⁷⁶

Eugene Williams, Jr. appeared before the School Board on October 13, 1966. He stated that he hoped the Peabody survey team would make recommendations which encompassed the principle of equal opportunity. Williams emphasized four areas that he thought deserved the attention of the Peabody staff: equal educational opportunity; equal employment opportunity; fair housing opportunity; and vocational opportunity.⁷⁷ NAACP spokesmen stated that such measures were necessary to "overcome the damage to Negro pupils as a result of the schools' inadequate and ill-advised policies in the past."⁷⁸ The NAACP spokesmen stated further that it was hoped "the committee now making the survey will make recommendations that deal constructively with these problems, and that the Board will follow through with an action program."⁷⁹

⁷⁵Charlottesville, Virginia School Board Minutes, September 28, 1966, p. 1.

⁷⁶The Daily Progress, October 6, 1966, p. 21, col. 4.

⁷⁷Charlottesville, Virginia School Board Minutes, October 13, 1966, p. 10.

⁷⁸The Daily Progress, October 31, 1966, p. 21, col. 4.

⁷⁹Ibid.

The State teachers' organizations reached a momentous decision on November 4, 1966. The predominantly-white Virginia Education Association and the predominantly-black Virginia Teachers' Association (VTA) merged into one body called the Virginia Education Association. The merger cleared the way for local associations to desegregate. The action provided a common ground for the education profession at local and State levels.⁸⁰ The Charlottesville Education Association, however, lowered the color-barrier the year before the VEA-VTA action.

A measure of concern developed about the planning and location of a new elementary school for the City. The School Board met on November 15, 1966 to discuss certain phases of the building program. One patron asked the question: "Will any school be located in a predominantly Negro neighborhood?" Replied Chairman of the School Board McLean: "The question of location will not be settled until we have the benefit of the survey. The new elementary school is planned to alleviate the most crowded schools--and Johnson School is the worst."⁸¹

It was announced on December 6, 1966 that Burley High School was no longer on the approved list of accredited

⁸⁰The Daily Progress, November 5, 1966, p. 3, col. 1.

⁸¹The Daily Progress, November 16, 1966, p. 1-B, col. 4.

schools of the Southern Association of Colleges and Schools.⁸² Eugene Williams, Jr. rose to attack the action at the Joint City-County School Board for Burley High School which met on the same evening. Williams stated the following:

Burley High School has been short-changed from its inception. Personally, I feel a padlock ought to be put on Burley tomorrow morning. Those students have just as much right to attend a school with SACS approval as any other student.

We hear the argument that there isn't room to accomodate the Burley students in other schools. But that's where they belong. If we can't do that, let's reverse it and put more county and city kids in Burley.⁸³

Raymond L. Bell, black School Board member, took exception to some of the statements made by Williams. Bell stated the following:

I can assure you that ever since I have been a member [of the Board], the Board has had as much interest in Burley as any other school. The Board knows there are deficiencies at Burley. We have spent many hours discussing some of the problems at Burley.⁸⁴

An interested County citizen, William Spurgin, suggested that the County buy the City's half interest in the school and incorporate the building into the County's school program.⁸⁵

⁸²The Daily Progress, December 6, 1966, p. 1, col. 4.

⁸³The Daily Progress, December 7, 1966, p. B-1, col. 7.

⁸⁴Ibid.

⁸⁵Ibid.

At the regular School Board meeting on December 15, 1966, affidavits were presented to the School Board by its attorney in desegregation suits. The object of the affidavits was to obtain dismissal of the suit, Williams v. School Board. The affidavits explained that the City planned to withdraw all City pupils from Burley High School at the end of the school year. The affidavits further stated that the Jefferson School was now being utilized as a sixth-grade school for all pupils in the City, regardless of race. Inasmuch as these were the remaining objects of the suit, the School Board asked for dismissal of the suit.⁸⁶

At the same meeting, the School Board approved an application for funds under Title I of the Elementary and Secondary Education Act amounting to \$86,397.84. Those funds, if granted, were to be used to aid educationally deprived or handicapped pupils.⁸⁷

On January 19, 1967, the School Board learned that the Title I application for \$86,397.84 was approved. The School Board also learned that a Title III mini-grant application was pending.

The School Board was informed by the Chairman that the plaintiffs in the two suits against the School Board,

⁸⁶Charlottesville, Virginia School Board Minutes, December 15, 1966, p. 4.

⁸⁷Ibid.

Allen v. School Board, and Williams v. School Board, agreed to withdraw charges upon payment by the School Board of the fees of the plaintiffs' attorneys as directed by the court. The cost for plaintiffs' attorney in the Allen case was \$971.35. The cost for plaintiffs' attorney in the Williams case was \$75.77. McLean explained the higher cost for the Allen case was because the case had been active in the courts for more than ten years.⁸⁸ The School Board was notified on March 16, 1967 that both cases were dismissed.

The School Board conducted an executive session prior to the regular meeting on January 19, 1967. It was reported that the County Superintendent asked about leasing the unused portion of Burley High School for two years. No action was taken on the inquiry.⁸⁹ The School Board held another executive session on April 10, 1967 and agreed to lease the City half of the building to the County, provided the County agreed to sell the County's interest in the building to the City on July 1, 1968.⁹⁰ The School Board later approved a rental fee of \$10,000 for a lease of one year.⁹¹

⁸⁸Charlottesville, Virginia School Board Minutes, January 19, 1967, p. 8.

⁸⁹Ibid., p. 1.

⁹⁰Charlottesville, Virginia School Board Minutes, April 10, 1967, p. 1.

⁹¹Charlottesville, Virginia School Board Minutes, November 16, 1967, p. 16.

The School Board met in executive session following the regular meeting on January 19, 1967. The Mayor, Burkett A. Rennolds, inquired about the effect of the proposed elementary school on existing school attendance areas. McLean said that he:

. . . felt that Venable would be helped by this new school but that it might be more racially imbalanced than it is at the present. . . . Venable, in turn, could relieve the Burnley-Moran Elementary School district. He didn't feel that Clark would be helped and didn't know what could be done about it.⁹²

The School Board went before City Council on February 6, 1967 to present a proposal for a new elementary school in the Southwest section to relieve Johnson School. The Council granted approval to purchase land for a new school building.⁹³

State Senator Edward O. McCue, Jr. announced on November 14, 1966 that he would not be a candidate for reelection.⁹⁴ James F. Dulaney, oil distributor and businessman, announced on January 26, 1967 that he was a candidate for McCue's seat. Dulaney had conservative ties and expected to receive McCue's support.⁹⁵ J. Harry Michael, attorney and

⁹²Charlottesville, Virginia School Board Minutes, January 19, 1967, p. 1.

⁹³Charlottesville, Virginia City Council Minutes, February 6, 1967, Minute Book K, pp. 399-401.

⁹⁴The Daily Progress, November 14, 1966, p. 1, col. 6.

⁹⁵The Daily Progress, January 26, 1967, p. B-1, col. 1.

former School Board member, announced on February 23, 1967 that he also would seek the vacated Senate seat.⁹⁶ Michael was elected on July 11, 1967 by a vote of 7118 to 5670 with majorities in Charlottesville and Albemarle County.⁹⁷

The Peabody Survey Report was made public on April 24, 1967. More than one hundred recommendations were made in the report. Those recommendations included building two high schools and merging the City school system with the Albemarle County school system.⁹⁸

Meanwhile, Charlottesville became a battleground for the fight against public housing located in predominately-black sections of the City. The Housing Authority recommended originally three sites for public housing projects similar to the Westhaven Public Housing Project near the center of the City. The three proposed sites were somewhat dispersed. Two were located in predominately-black sections near Ridge Street on the Southern side of the City. The third public housing site was located on Madison Avenue near Rose Hill Drive on the Northern side of the City. This site bordered a white neighborhood.

⁹⁶The Daily Progress, February 23, 1967, p. B-1, col. 5.

⁹⁷The Daily Progress, July 12, 1967, p. 1, col. 3.

⁹⁸Division of Surveys and Field Services, Charlottesville, Virginia Public Schools, A Survey Report (Nashville: George Peabody College for Teachers, 1967).

A petition opposing the public housing site on Madison Avenue was circulated among residents of the Northern section of the City. One thousand five hundred signatures were collected.⁹⁹ The Housing Authority withdrew the plans to construct a public housing project on the Madison Avenue site.

The NAACP was highly critical of the decision removing the Madison Avenue site from the public housing construction plans. Spokesmen termed the plan as racial in intent and criticized the construction of remaining public housing projects in predominantly-black neighborhoods. The President of the NAACP, Mrs. Virginia J. Carrington, wrote a letter to the daily newspaper which was published on March 3, 1967. Mrs. Carrington stated that the new elementary school planned for the Southern side of the City was being planned for black pupils.¹⁰⁰ Her conclusion was based on the location of the proposed public housing projects on the Southern side of the City in predominately-black neighborhoods.

The voters approved the public housing sites on the Southern side of the City in a referendum held on May 9, 1967. The NAACP served notice that it intended to contest

⁹⁹Editorial, The Daily Progress, February 11, 1967, p. 4, col. 1.

¹⁰⁰The Daily Progress, March 3, 1967, p. 4, col. 5.

the site locations in court.¹⁰¹ The organization later warned that the racial situation in Charlottesville was "explosive" because of housing shortages for blacks in general and because of the refusal of the City administration to extend utilities and to make road improvements to a street along which blacks lived. The street had been annexed by the City in 1962.¹⁰²

The Human Relations Council discussed the problem of housing in Charlottesville. The Human Relations Council particularly was concerned with restricted housing opportunities for blacks.¹⁰³ The League of Women Voters issued a statement on July 3, 1967 supporting the principle of equal housing opportunity.¹⁰⁴ The NAACP issued a statement pleading with both blacks and whites to seek solutions to community problems in general.¹⁰⁵

Those groups attempted to calm anxiety and fear in the City. Riots, looting, and arson were raging in some cities in the Country. The paramount concern among the groups was the maintenance of peace. Even so, it was difficult for some to maintain such reserve. Reverend Henry B.

¹⁰¹The Daily Progress, May 10, 1967, p. B-1, col. 2.

¹⁰²The Daily Progress, June 29, 1967, p. B-1, col. 1.

¹⁰³The Daily Progress, March 24, 1967, p. 13, col. 5.

¹⁰⁴The Daily Progress, July 3, 1967, p. 17, col. 6.

¹⁰⁵The Daily Progress, July 31, 1967, p. 15, col. 8.

Mitchell, in a passionate speech while discussing the causes of riots in other cities, was quoted as having stated the following:

We can't compromise any more; we want to be included in the mainstream of life; all we are asking is to be treated like anyone else. But the Negro will not accept anything short of equality. We have had enough.¹⁰⁶

The NAACP entered suit against the Charlottesville Redevelopment and Housing Authority. The purpose of the suit was to stop the construction of the public housing projects approved by the voters in the housing referendum. An alternate purpose of the suit was to prevent the School Board from building the new school in the Southwestern section of the City in the event the court ruled in favor of the public housing sites. Oliver W. Hill, NAACP attorney, told a gathering of the NAACP that "this housing program in Charlottesville can be considered as just one of the implements we intend to use to open Virginia up."¹⁰⁷

The attention of the School Board was focused on certain problems related to desegregation in one elementary school. The School Board had attempted to desegregate the school system as much as possible and yet maintain the concept of neighborhood elementary schools. The result left only one

¹⁰⁶The Daily Progress, August 11, 1967, p. 13, col. 7.

¹⁰⁷The Daily Progress, September 22, 1967, p. 1, col. 5.

elementary school, Greenbrier, with no black pupils. Another elementary school, Venable, had a large percentage of black pupils, larger than other schools in the City. The Superintendent brought the question of elementary school attendance area boundaries to the School Board on April 20, 1967. He stated that the School Board should consider the possibility of redrawing the elementary school boundaries for the purpose of achieving better racial balance among all the elementary schools. The possibility of busing some of the black pupils from Venable School to Greenbrier School was mentioned at this meeting.¹⁰⁸ Certain Venable patrons had approached the Superintendent with this prospect. Two School Board members were patrons of Venable School and were aware of the concern of Venable parents about the enrollment of the school.

The problem of racial imbalance at Venable School was discussed by the School Board in several meetings. The School Board met in executive session on July 20, 1967 for further discussion of the problem at Venable. The School Board feared that Venable would be abandoned by whites and become a black school. The Superintendent presented several possibilities for improvements to the Venable situation for the consideration of the School Board. The possibilities included several additions to the professional staff of the

¹⁰⁸ Charlottesville, Virginia School Board Minutes, April 20, 1967, p. 3.

school, program improvements, and busing of fifty-one black pupils from the Venable School attendance area to Greenbrier Elementary School. The School Board agreed that the plans for program improvement, including hiring additional professional staff, and busing fifty-one black pupils to Greenbrier, should be implemented to ease the pressure at Venable School.¹⁰⁹ The School Board met again on August 14, 1967 in executive session to discuss the transfer of "certain" Venable pupils from Venable School to Greenbrier School.¹¹⁰

The regular meeting of the School Board was held on August 17, 1967. The School Board formally approved the plans for relieving Venable School of some of the pressure of racial imbalance. The School Board implemented a "Model School Program" for Venable. Included in that program was the reassignment of fifty-one black pupils from the Venable attendance area to Greenbrier Elementary School, as well as the transfer of several overaged pupils from Venable to the sixth grade program at Jefferson School.¹¹¹

A rather significant problem developed for the School Board when it attempted to solve a delicate problem in a dynamic way. The School Board had no funds with which to pay

¹⁰⁹Charlottesville, Virginia School Board Minutes, July 20, 1967, pp. 2-8.

¹¹⁰Charlottesville, Virginia School Board Minutes, August 14, 1967, p. 4.

¹¹¹Charlottesville, Virginia School Board Minutes, August 17, 1967, p. 6.

the cost of pupil transportation. When the children were volunteered for the busing program, their parents were assured by the school administration that transportation would be provided to the children at no cost. The school administration was able to interest the Community Action Organization in assisting with the school busing plan. The CAO acquired a used school bus which school maintenance personnel painted. CAO agreed to allow the use of the bus for transporting the reassigned pupils to Greenbrier School. The School Board agreed that it would furnish the driver and pay for the operation and maintenance of the vehicle.

The regular monthly meeting of the School Board was held on September 21, 1967. The School Board agreed that it should go to City Council and request an additional appropriation for transportation. One concerned patron asked about the justification for spending public money on transportation. The Chairman told the patron that the concern of the School Board for continued excellence in the school system justified such an expenditure. In response to the question: "Is the excellence of Greenbrier or the excellence of Venable the question?" the Chairman stated the following:

. . . it was a matter of maintaining a balance between the culturally deprived and the economically advantaged. . . . it was proven that the culturally deprived can be helped if the ratio doesn't get out

of hand. On the other hand, if the ratio goes too high the overall quality of education will suffer.¹¹²

Some objections to the busing program were voiced by patrons of Greenbrier School. One person, however, stated "that he wouldn't pretend to know what the Venable problem was, but that if the School Board has moved to avoid trouble, he certainly favored such action."¹¹³

Bell, the only black School Board member, said he found the discussion paradoxical. He brought to the attention of those in the audience that thousands of dollars of public funds had been spent on the school desegregation suits. Stated Bell: "No one complained then. This is an interesting paradox . . . this is being done for a reason and for a very sound reason."¹¹⁴

A few days later the school administration discovered that the CAO bus did not meet safety regulations. The result was that the cost of the operation of the bus could not be reimbursed with State aid funds. The School Board arranged for the local transit company to transport the Venable area pupils to Greenbrier Elementary School.¹¹⁵ The matter of

¹¹²The Daily Progress, September 22, 1967, p. 17, col. 1.

¹¹³Ibid.

¹¹⁴Ibid.

¹¹⁵The Daily Progress, September 26, 1967, p. 13, col. 5.

additional appropriations was taken to City Council by the School Board. The School Board did not receive a sympathetic hearing from City Council. When asked by Councilman Haggerty whether or not public funds were being spent for transportation, the Chairman of the School Board replied that the School Board was obligated to reimburse the transit company for its costs. Said Haggerty:

My only comment would be that it sounds as though there has already been some expenditure of public funds for this purpose, which is unauthorized and, I guess, improper. I don't like to use the term, "illegal."

I do think we want to minimize the size of the problem. We look forward to your early response.¹¹⁶

The School Board met on September 28 for a special meeting. A resolution indicating the support of the School Board for providing transportation for certain pupils was passed. The School Board "resolved to request Albemarle County to transport children from Venable to Greenbrier on a County bus, not to exceed a cost of \$50.00 per child per year," and, in addition, to seek transportation expenses for special education pupils.¹¹⁷ Funds were to be requested from City Council on October 5, 1967.

Discussion of the busing plan continued. Two groups supported the plan publicly. They were: the PTA Council

¹¹⁶Ibid.

¹¹⁷Charlottesville, Virginia School Board Minutes, September 28, 1967, p. 6.

and a group of Greenbrier patrons.¹¹⁸

The matter of transportation was taken back to City Council on October 5. The issue was unsettled with City Council. A Venable patron, Mrs. Ferrell K. Phillips, gave her impressions of Venable School since the beginning of the new school year. She was quoted as follows:

The imbalance of culturally deprived children has been relieved [at Venable], and there is no comparison at Venable this year with the last three years.

Several real estate agents have not been showing property in the Venable district to parents with small children because of the quote "downhill trend at Venable."¹¹⁹

The Chairman of the School Board described the way in which the Venable pupils to be sent to Greenbrier were selected. He said that they were selected from among those considered culturally deprived. He stated the following:

. . . they were chosen chiefly on the basis of which grades at Greenbrier had space for them and were taken by families so that brothers and sisters would go to the same school. None of the families asked to send their children to Greenbrier refused.¹²⁰

Allocation of funds for transportation of special education pupils to McGuffey School was approved by City Council. It tabled the question of funds for transportation of pupils from the Venable area to Greenbrier School and suggested that the School Board might find some group or club

¹¹⁸The Daily Progress, October 5, 1967, p. 1-B, col. 6.

¹¹⁹The Daily Progress, October 6, 1967, p. 1-B, col. 2.

¹²⁰Ibid.

that would support the busing costs to Greenbrier.¹²¹ School Board member Dabney asked the City Council the following:

"Do you mean to put the School Board in the position of going out and soliciting funds?"¹²² Replied Councilman Haggerty: "I guess what we're saying is that you tried a little while. We'd encourage you to try a little more."¹²³

The School Board met on October 12, 1967 for a regular meeting. The Superintendent presented a copy of a letter he wrote to the owner of the transit company. The letter advised the transit company owner that no funds were available at that time to pay the cost of transporting pupils from the Venable area to Greenbrier School. The Chairman of the School Board told a patron who inquired that the owner of the transit company was bearing the cost of transporting the pupils for the time being. The School Board was informed that a group of black social clubs volunteered to pay the transportation costs of the busing program for the month of October.¹²⁴

The "Model School" project at Venable Elementary School continued to receive public attention. The program

¹²¹Charlottesville, Virginia City Council Minutes, October 5, 1967, Minute Book K, pp. 455-457.

¹²²The Daily Progress, October 6, 1967, p. 1-B, col. 2.

¹²³Ibid.

¹²⁴Charlottesville, Virginia School Board Minutes, October 12, 1967, p. 21.

was featured in a series of articles in the daily newspaper.

The Principal of the school was quoted as follows:

This school is an experiment in meeting a unique situation. Socially, Venable has upper class and upper middle class youngsters and an almost equal number from so-called lower middle class and lower class backgrounds.

. . . the social breakdown doesn't follow racial lines. Some of Venable's Negro children are the very best the American culture stands for; and some of the white children are from impoverished homes.

.
What we want is to avoid the flight of upper and middle classes from our school. . . . We're working to restore the public's confidence in Venable School.¹²⁵

The School Board was informed on December 21, 1967 that the pupils being bused from the Venable area to Greenbrier School were paying for the transportation. No public funds were then appropriated, and no additional support came from private sources to cover the cost of operating the bus.¹²⁶

The School Board met on January 18, 1968 and approved requesting additional funds from City Council to pay the cost of upgrading the instructional program at Venable Elementary School.¹²⁷ The request was presented to City Council on

¹²⁵The Daily Progress, October 21, 1967, p. 3, col. 4 and October 23, 1967, p. 17, col. 4.

¹²⁶Charlottesville, Virginia School Board Minutes, December 21, 1967, p. 22.

¹²⁷Charlottesville, Virginia School Board Minutes, January 18, 1968, p. 21.

February 19, 1968. City Council approved the additional school appropriations. Two Councilmen, Haggerty and Mount, warned, however, "that surplus funds should not be spent or obligated in the future until such appropriations have been approved and voted by the City Council."¹²⁸

In an executive session on March 25, 1968, the School Board discussed the problem of transporting pupils. A resolution was passed to reaffirm the past actions of the School Board which related to transferring pupils from one school attendance area to another. The resolution is quoted as follows:

No transportation will be recommended or begun under this policy until a detailed study of the problem shows that such transportation is, in the judgement of the School Board, the best solution to any problem of imbalance in the school or schools affected.¹²⁹

A series of meetings for review and study of the Peabody Survey Report were conducted by the School Board. The findings and recommendations of various operations of the school system were explored during these meetings in the spring and summer of 1967. The meeting held on May 30, 1967 was focused on school personnel. The following dialogue between Eugene Williams, Jr., black spokesman, and School Board

¹²⁸Charlottesville, Virginia City Council Minutes, February 19, 1968, Minute Book K, p. 478.

¹²⁹Charlottesville, Virginia School Board Minutes, March 25, 1968, p. 1.

member, J. A. Kessler, Jr., was reported in the daily newspaper:

Williams charged that Negroes with long experience are given less important assignments than whites. With many personnel changes being made, this is a "golden opportunity" to advance Negroes, he said, "I think we should lean over backward to see that the Negro teacher is elevated."

. . . Kessler . . . agreed that Negroes "have been slighted" in the past, but said he thinks hiring and advancement should be on the basis of competence, experience, and qualifications regardless of race.

"I think this is the only way we can achieve true progress between the races," Kessler said. "I think we should bend over backward in the area of training and upgrading education of all the people."130

The Director of Personnel for Charlottesville Public Schools, Charles C. Todd, Jr., noted that recruiting trips were made to several predominantly-black Virginia colleges, as well as to white colleges. He noted, however, that relatively few blacks applied for positions in Charlottesville. A few black applicants were employed, and applications were welcomed from any qualified person regardless of race, according to the Director of Personnel.¹³¹

A letter from the President of the NAACP, Mrs. Carrington, appeared in the daily newspaper on June 6, 1967. She expressed the concern of the NAACP about the few black

¹³⁰The Daily Progress, May 31, 1967, p. B-1, col. 1.

¹³¹Ibid.

principals in the City schools. The City operated ten schools, but only one school had a black principal.¹³²

A desegregation institute was conducted at the University of Virginia on July 26, 1967 for certain areas of the State. Michael S. Lawler, Executive Director of Youth Educational Services in Durham, North Carolina, was one of the speakers at the institute. Certain statements he made indicated that black pupils were highly sensitive about their status in the desegregated school. Lawler was quoted as follows:

. . . the Negro kid knows he'll flunk [in the white school].

I think parents and older Negro children are much more sensitive than we think to the weaknesses of the Negro educational system. They are concerned about academic failure.

.
They have difficulty relating to a white teacher, and they sometimes are harassed by white children in the classroom. The Negro child must decide whether to sit at the rear and not take part in the class or in front and have things thrown at him.

[There must be] greater awareness among white educators of the cultural differences that the Negro child presents to us within the classroom. . . .

. . . a way should be found also to make Negro parents and children feel that the integrated school is their school. Most low income people don't consider the institutions we take for granted their institutions. Instead, Negroes tend to identify with their local . . . school, and they're proud of it. . . .¹³³

¹³²The Daily Progress, June 6, 1967, p. 4, col. 4.

¹³³The Daily Progress, July 26, 1967, p. 1-B, col. 1.

Public schools opened for the 1967-68 school session on September 5, 1967. It was a significant opening. The formerly-black Burley High School had no City pupils. All eligible City high school pupils were enrolled at Lane High School. The "Model School Program" began at Venable Elementary School. The Venable program included the busing of black pupils to Greenbrier Elementary School. Thus, the first black pupils were enrolled at Greenbrier Elementary School. All schools operated by the Charlottesville School Board were desegregated for the first time.

The School Board met with members of the Albemarle County School Board in a series of meetings to discuss the future use of Burley High School. The City School Board agreed on November 16, 1967 to rent half of the building to the County School Board for a yearly rental of \$10,000.¹³⁴ The City Council received a proposal on February 29, 1968 from the County Board of Supervisors. The proposal of the County Board of Supervisors was that the City Council could either set the value on the Burley building and grounds, or have the choice of buying or selling if the County Board of Supervisors set the value.¹³⁵ The City Council took the

¹³⁴Charlottesville, Virginia School Board Minutes, November 16, 1967, p. 16.

¹³⁵Charlottesville, Virginia School Board Minutes, February 29, 1968, p. 2.

option of setting the value of the building, which was placed at \$1,400,000.¹³⁶ It was announced on April 18, 1968 that the Albemarle Board of Supervisors exercised the option of purchasing the City's half interest in the Burley building and grounds.¹³⁷

In the meantime, the PTA Council met on March 6, 1968. Eugene Williams, Jr., then President of the Buford Junior High School PTA, recommended the "National Riot Commission Report" to the PTA Council. Said Williams: "Though the commission used large cities as examples, it must not be forgotten that many large cities' problems stem from smaller cities."¹³⁸ Williams told the PTA Council that public schools seemed to be the place where many problems started, according to the Commission Report. The PTA Council approved the study of the "National Riot Commission Report."¹³⁹

Lane High School was the scene of a threatened bomb explosion on March 11, 1968. The student body was evacuated from the building and spent most of the morning in the football stadium as a search by the City police produced no bomb.

¹³⁶Charlottesville, Virginia City Council Minutes, April 1, 1968, Minute Book K, pp. 488-489.

¹³⁷Charlottesville, Virginia School Board Minutes, April 18, 1968, p. 24.

¹³⁸The Daily Progress, March 7, 1968, p. 1-B, col. 1.

¹³⁹Ibid.

The experience was shocking for the students. The Superintendent stated in reference to the bomb threat: "This is rotten . . . this is dirty."¹⁴⁰ A rash of bomb threats was called to the high school or to the police station. The number of bomb threats totaled eleven by March 28, 1968.¹⁴¹ Arrests of those persons suspected of making bomb threats were made during the period. Those persons arrested included both pupils and non-pupils. The Superintendent met with the Lane High School student body and warned them of the seriousness of the situation. Police officials also spoke to the student body. Telephone "taps" were installed on all school telephones in the City. The bomb threats ceased.¹⁴²

Thursday, April 4, 1968, was the day Martin Luther King, Jr. was assassinated in Tennessee. Citizens of Charlottesville demonstrated the feeling of loss at the tragic death. A memorial march, in which one thousand five hundred persons participated, was held on April 7, 1968. The march was followed by a memorial service at the Zion Union Baptist Church. Another memorial service was held later in the day at the University of Virginia.¹⁴³ The public schools of Charlottesville were closed on April 9 in respect for King.

¹⁴⁰The Daily Progress, March 11, 1968, p. 1, col. 2.

¹⁴¹The Daily Progress, March 28, 1968, p. 1-B, col. 1.

¹⁴²The Daily Progress, March 29, 1968, p. 17, col. 5.

¹⁴³The Daily Progress, April 8, 1968, p. 17, col. 5.

Social pressures began to mount at Lane High School. It was noted previously that Lane was, for the first time, the school facility for all high school pupils in the City, regardless of race. Rumors were heard in the community about problems of discipline and racial prejudice.¹⁴⁴

The situation at Lane High School was brought into the open through a series of events. The subject became a topic of discussion at the regular meeting of the School Board on April 18, 1968. School Board member Bell, in response to recommendations from a Student School Board, asked about training for teachers in the area of race relations. He said that he was concerned because of reports that he had received about "one or two Lane teachers who show racial prejudice." Bell wished to know what the school administration was doing for teachers who had shown racial prejudice.¹⁴⁵

Superintendent Rushton replied that crowded conditions at the school were partially responsible for some of the problems. Dialogue among all parties was of paramount importance, according to Rushton. He was quoted as follows:

. . . start talking--and find out what some of the concerns are. . . . If we can begin to talk together, we can get our feelings out, and that's dialogue I'm talking about. We are aware of

¹⁴⁴The Daily Progress, April 19, 1968, p. 1, col. 1.

¹⁴⁵Charlottesville, Virginia School Board Minutes, April 18, 1968, p. 16.

prejudices on both sides. Sometimes we just can't communicate.¹⁴⁶

It was reported at the same meeting that a committee for racial understanding had been established at Lane High School. The committee consisted of ten students and eight teachers. It included white and black members. The purpose of the committee was to improve race relations at Lane by preventing misunderstandings "brought about because of the lack of communication between the races."¹⁴⁷

A few days later, on April 22, 1968, a meeting was held at the University of Virginia during which the local leader of the Student Non-violent Coordinating Committee (SNCC), James (Rat) Brown, was the speaker. Brown's speech apparently was aimed at the emotions of the black community and particularly, the black youth. He stated the following:

Unrest at Lane High School could easily be solved by hiring a black teacher black students could respect.

Basketball coach, Albert Moore, was such a man. Moore was a coach at Burley High School who won three state championships and five district championships. He was transferred to Henley Junior High when Burley closed.

Yet, that same year, Lane needed a coach and instead of hiring Moore, went to Salem to find a man without Moore's qualifications, a man with only junior varsity experience.

Moore could really discipline those kids. He's someone they could respect. Whites can't get the

¹⁴⁶Ibid.

¹⁴⁷Ibid., p. 15.

respect of blacks, at least not until whites respect them.

. . . I don't teach violence, but I don't teach turning the other cheek either. And if it should come down to the question of living or dying, make it "even Steven," I say. If you're going to be killed, take a white with you.¹⁴⁸

When the meeting concluded, Brown stated the following in a somewhat more responsible mood:

It's the kids. Lose the kids and they'll (sic) be nothing left. Teaching the kids isn't enough. You've got to listen too, because they've got something to teach.¹⁴⁹

May 13, 1968 was a significant day for Lane High School. Two hundred pupils, predominately black, walked out of the school that morning. They made their way to Trinity Episcopal Church, about a half-mile away. A meeting between the pupils and the school Principal, W. I. Nickels, Jr., was arranged by Reverend Henry B. Mitchell, Pastor at Trinity.

Significantly, the white President-elect of the Student Council of the school walked out with the other pupils. He was quoted as stating the following: "The immediate reason for the special meeting was to try to keep peace in the school."¹⁵⁰ The following statement was made on behalf of the pupils who walked out of school:

¹⁴⁸The Daily Progress, April 23, 1968, p. 1, col. 4.

¹⁴⁹Ibid.

¹⁵⁰The Daily Progress, May 13, 1968, p. 1-B, col. 1.

On Monday, approximately 200 black and white students from Lane High School met at Trinity Episcopal Church.

A racial incident the previous Friday night caused concerned students to fear that there would be violence at Lane Monday. Students were met at the doors before school Monday and asked not to attend but to meet at Trinity Church immediately to prevent any outbreak.

Here at the church, we are defining the underlying problems which have caused racial tension at Lane to come to a head. We are listing the grievances of the students concerned to present to the administration for their action.

In the trust that the voices of the students will finally be heeded, we will return to school and remain there only if reasonable measures are taken. We are acting to save our school.¹⁵¹

The pupils returned to school the next morning. A list of seven grievances was presented by the pupils to the school administration. The grievances are summarized as follows: (1) No black guidance counselor; (2) Insufficient black history; (3) Insufficient remedial reading and speech courses; (4) Need for better pupil-teacher relations; (5) Need for more black faculty members (then four out of sixty-two); (6) Need for a pre-school orientation for pupils and teachers; and (7) Need for the use of voting machines for school elections.¹⁵²

The Superintendent stated that the good intentions of the two hundred pupils was recognized fully. He indicated, however, that the rules of Lane High School would be observed

¹⁵¹Ibid.

¹⁵²The Daily Progress, May 17, 1968, p. 15, col. 2.

with regard to this incident. The rules applied to the pupil walkout meant that all pupils absent because of the walkout were unexcused. Such absences meant receiving no credit for any work which was due on that date.¹⁵³

The School Board met on May 22, 1968. A discussion of the pupil walkout at Lane High School was held. Improvements, as suggested in the pupils' list of grievances, were discussed. Hope was held that a black guidance counselor could be secured with federal funds, because the school budget had been approved for the coming year and no additional funds were available for a counselor, even though the school needed another guidance position because of the size of the student body. The Superintendent reported to the School Board concerning his efforts to talk with the pupils at Lane High School. Rushton stated that he thought he had much more success talking about the Lane problems with small groups of pupils than with large assemblages. The Lane pupils had demonstrated their impatience to the Superintendent in the large group meeting, but had been more understanding in the small groups, according to Rushton.¹⁵⁴

Arrangements were made for a black history course to be taught at Lane through the use of an educational television

¹⁵³The Daily Progress, May 15, 1968, p. 1-B, col. 7.

¹⁵⁴Charlottesville, Virginia School Board Minutes, May 22, 1968, pp. 16-20.

broadcast from Richmond. The course was entitled, "Americans from Africa" and was to be taught by Edgar A. Toppin of Virginia State College at Petersburg. The School Board was informed of this on August 15, 1968.¹⁵⁵

Program improvements for Lane High School were discussed by the School Board and the Superintendent of Schools during the summer of 1968. The Superintendent announced on June 20, 1968 that pupils at Lane High School would use spare classrooms at nearby Jefferson School. Such a move was intended to relieve some of the pressure on the school which had been caused by overcrowding. Improvements for Lane also included the renovation of the guidance offices for improved guidance services, the addition of instructional aides to assist the chairmen of departments, the addition of a records clerk for guidance services, and expansion of remedial speech programs, and the introduction of new instructional materials stressing black history.¹⁵⁶

The School Board announced on July 8, 1968 that W. I. Nickels, Jr., who had been Principal of Lane High School for nineteen years, had accepted a Director's position in the Central Administration Office. The School Board appointed

¹⁵⁵Charlottesville, Virginia School Board Minutes, August 15, 1968, p. 2.

¹⁵⁶Charlottesville, Virginia School Board Minutes, June 20, 1968, p. 6.

John E. Huegel as the new Principal of Lane High School. Huegel had been Principal of Buford Junior High School. His background and experience included many years in teaching and in the principalship in elementary and junior high schools.¹⁵⁷ The School Board, apparently, wished to have a Principal at Lane High School who could bring a fresh perspective to the task of operating the school.

The School Board was faced with a dilemma which resulted from a recommendation of the Peabody Survey Report that the City build two senior high schools.¹⁵⁸ Much discussion surrounded the question of building two high schools in Charlottesville. Many persons in the City favored building one large school. There were some persons in the City who feared dividing the City into two high school attendance areas. The minds of many persons focused on the question of racial balance in two high schools. There would be no such problem if only one large school existed. Another consideration in the minds of many people was that the football team of Lane High School then had the longest consecutive winning streak in existence in the nation. The football coach warned that the athletic expectations of two high schools in the City would not be as bright as they were with just one high school.

¹⁵⁷The Daily Progress, July 8, 1968, p. B-1, col. 8.

¹⁵⁸Division of Surveys and Field Services, p. 167.

Public discussion of the building program by the School Board occurred during the spring and early summer of 1967. On July 31, 1967, the School Board voted 4 to 2 (one absent) in favor of building two senior high schools.¹⁵⁹ The School Board unanimously agreed to support the building program and campaign that was necessary to pass the bond issue for funds for school construction.

Discussion of the two-high-school plan was held between the School Board and City Council during the ensuing fall, winter, and spring months. The School Board recommended two sites for the high schools to City Council on May 19, 1968.¹⁶⁰ Concern developed in Charlottesville that the School Board and City Council had a difference of opinion on the proposal to build two high schools. A vigorously contested City Council election campaign also centered on the two-school proposal. The School Board reaffirmed the position in favor of two high schools on June 3, 1968.¹⁶¹

The bond issue was presented to the voters in a special referendum on April 22, 1969. Division of support among City Council members, lack of support by the daily

¹⁵⁹Charlottesville, Virginia School Board Minutes, July 27, 1967, p. 23.

¹⁶⁰The Daily Progress, May 20, 1968, p. 17, col. 4.

¹⁶¹Charlottesville, Virginia School Board Minutes, June 3, 1968, p. 2.

newspaper, the question of the high school athletic program, a last minute effort by a group of anti-tax-increase citizens, and voter apathy among blacks were among factors which contributed to the defeat of the bond issue by a vote of 2228 against to 2162 for.¹⁶²

On December 28, 1967, four Democrats announced their candidacies for the City Council primary election. Collet M. Thach, a businessman, Geraldine A. Meyung, a housewife, and Mitchell Van Yahres, a businessman, announced their candidacies.¹⁶³ Burkett A. Rennolds announced on December 30 that he would not run for reelection.¹⁶⁴ Two days later, Bernard J. Haggerty and Lindsay B. Mount stated that they would not run for reelection.¹⁶⁵ On January 3, 1968, George Gilmer, Jr., a mortgage broker, entered the City Council primary election race.¹⁶⁶

Apparently, the partisan political battles at the local level did not meet with the approval of all citizens. A group named Charlottesville-Albemarle First organized to sponsor non-partisan candidates for local office.¹⁶⁷ Both

¹⁶²The Daily Progress, April 23, 1969, p. 1, col. 1.

¹⁶³The Daily Progress, December 28, 1967, p. 17, col. 1.

¹⁶⁴The Daily Progress, December 30, 1967, p. 1, col. 2.

¹⁶⁵The Daily Progress, January 1, 1968, p. 1, col. 6.

¹⁶⁶The Daily Progress, January 3, 1968, p. 17, col. 7.

¹⁶⁷The Daily Progress, January 5, 1968, p. 13, col. 1.

political parties refused to cooperate with the objectives of Charlottesville-Albemarle First, and it faded away after several months of activity.

The political campaign did not create any serious issues among the four Democratic candidates seeking the three City Council seats. A debate among the four candidates was held at a Jaycees meeting on March 31, 1968. All candidates agreed that they supported the busing plan that was a part of the Venable "Model School" program.¹⁶⁸ All of the Democratic candidates indicated their support of the Community Action Organization.¹⁶⁹

The primary election was held on April 2, 1968. Van Yahres, Meyung, and Thach were nominated. Gilmer was defeated, but pledged his support to the three victorious candidates.¹⁷⁰

On March 29, 1968, three Republicans announced their intentions of seeking the convention nomination of their party for the soon-to-be-vacated City Council seats. The candidates were: Kenneth E. Davis, real estate salesman; Lois S. Mothes, housewife; and Joseph W. Wright, insurance salesman.¹⁷¹ The three announced Republican candidates were

¹⁶⁸The Daily Progress, March 22, 1968, p. 15, col. 5.

¹⁶⁹The Daily Progress, March 29, 1968, p. 17, col. 1.

¹⁷⁰The Daily Progress, April 3, 1968, p. 1, col. 2.

¹⁷¹The Daily Progress, March 29, 1968, p. 1, col. 7.

nominated at the City Republican nominating convention on April 8.¹⁷²

The seventh candidate announced his candidacy on April 13, 1968. Reverend Henry F. Johnson declared his candidacy as an Independent. Johnson was the only black entered in the election.¹⁷³

The Republicans used the school construction question as a campaign issue. Mothes and Wright stated that they favored the construction of one large high school, not two smaller high schools.¹⁷⁴ Wright asked that the question of building two schools or one school be put to a vote of the people.¹⁷⁵ Davis charged that the School Board and City Council were at an impasse on the question of two high schools. The Mayor replied to the charge that no such impasse existed.¹⁷⁶ The following statement was attributed to Wright:

. . . the one thing that bothers me as much as any other is the breakdown in school discipline. Our school officials must do whatever is necessary to assure all students that they will have the best possible opportunity to secure a good education in an atmosphere free from strife; our teachers must

¹⁷²The Daily Progress, April 9, 1968, p. 13, col. 5.

¹⁷³The Daily Progress, April 13, 1968, p. 1, col. 4.

¹⁷⁴The Daily Progress, April 30, 1968, p. 1, col. 6.

¹⁷⁵The Daily Progress, May 16, 1968, p. 1-B, col. 5.

¹⁷⁶The Daily Progress, May 21, 1968, p. 15, col. 5.

be assured the opportunity to teach in an atmosphere free from strife; and the parents and citizens must be assured that our students can attend a public school in absolute safety.¹⁷⁷

The Democrats generally supported the decisions of the School Board. The Independent candidate also supported the School Board. The City Council election was held on June 11, 1968. The Republicans won two of the three contested seats. The tally of votes was as follows:

2448	-	Wright (R)
2359	-	Davis (R)
2296	-	Van Yahres (D)
2160	-	Mothes (R)
2141	-	Johnson (I)
2129	-	Thach (D)
2069	-	Meyung (D)
5816	-	Total vote ¹⁷⁸

The significance of the election was that the Republicans gained control of City Council for the first time. Davis and Wright joined Vogt to give the Republicans the majority on City Council by three votes to two votes. The Republicans again used school issues to good advantage to win a local election. An additional factor in the election was the high incidence of blacks voting singly for one candidate --so-called single-shot balloting. Black voters normally supported Democratic candidates when they went to the polls, but in this case, most seemed to vote only for the Independent, the black candidate.

¹⁷⁷The Daily Progress, May 29, 1968, p. 1-B, col. 4.

¹⁷⁸The Daily Progress, June 12, 1968, p. 1-B, col. 4.

Raymond L. Bell announced on June 22, 1968 that he would not seek reappointment to the School Board. His term expired on June 30. The City Council appointed Reverend Henry B. Mitchell to a seat on the School Board on June 24.¹⁷⁹ Apparently, City Council wished to maintain black representation on the School Board. Councilman William A. Rinehart, III stated that Mitchell had tried to help with problems in the schools during times of difficulty.¹⁸⁰

The annual reorganization meeting of the School Board was held on July 11, 1968. Booker T. Reaves was elected Clerk of the School Board.¹⁸¹ Reaves, a former Principal at Jefferson School and then Administrative Assistant to the Superintendent of Schools, was the first black to hold the position of Clerk of the School Board for Charlottesville Public Schools.

The 1968-69 school session began on August 26, 1968 for over seven thousand Charlottesville school pupils. It appeared that racial tensions from the previous school year at Lane High School were unabated. The City was beset by a series of nightly acts of destruction of property. It was

¹⁷⁹Charlottesville, Virginia City Council Minutes, June 24, 1968, Minute Book L, p. 4.

¹⁸⁰The Daily Progress, June 24, 1968, p. 1-B, col. 4.

¹⁸¹Charlottesville, Virginia School Board Minutes, July 11, 1968, p. 1.

revealed on September 9, 1968 that there had been incidents between roving bands of young blacks and police for several evenings. Windows in buildings were broken by rocks thrown as young blacks marched through black neighborhoods. The homes of two black policemen were attacked, apparently by black youths. A fire-bomb was thrown into one white-owned business establishment located in a black neighborhood. State and County police were called to assist the Charlottesville Police Department restore order after dark.¹⁸²

The show of force apparently quieted overt physical acts against property. An investigation into the unrest and vandalism revealed the underlying cause to be the failure of the Lane High School student body to elect a black girl to the cheerleader club of the school.¹⁸³ The following was stated in the daily newspaper:

One recent high school graduate said the whole affair came about because Lane High School has no Negro cheerleader. He said the trigger exploding the black students' anger on the cheerleader issue was a minor dispute with the combo at a Lane dance Thursday night.

"The brothers wanted more soul music and the band gave them a hard time. It was one frustration too many."

.....
Wrote one who admitted being in close sympathy with the rock throwers although calling himself, "a

¹⁸²The Daily Progress, September 9, 1968, p. 1-B,
col. 1.

¹⁸³The Daily Progress, September 10, 1968, p. 17,
col. 4.

non-brick man," "The black Lane High School students wanted a black cheerleader and the school body didn't put her on the team. Mind you, for the first time, all black students cared. When the word got out that she didn't make it, pride hit all of them."184

The NAACP issued the following statement regarding the situation:

We can sympathize with our youth and their frustrations, and we are going to work zealously to do away with a number of grievances here in Charlottesville, but we are going to do it within a framework of law.

While we do not condone destruction of any kind, we are utterly opposed to the use of tear gas, mace, or clubbing of our youth.

We are hopeful that our youth will agree to air their grievances in a manner that will be beneficial to all concerned, and that the disturbances will cease.185

A mass meeting was scheduled for blacks by black ministers and a black professor at the University of Virginia.186 The results of the meeting were not released. City Council feared further polarization of the races from such gatherings.187

A public program was held by the Lane High School PTA on September 24, 1968. The President of the Student Council, Jed M. Orkin, and the Principal of Lane High School, John E. Huegel, presented their views on Lane High School as

184 Ibid.

185 Ibid.

186 The Daily Progress, September 14, 1968, p. 13, col. 5.

187 Ibid.

an educational institution. Orkin described the biggest problem of the school as a generation gap. He stated: "Get the avenue to communication open so that it doesn't take an emergency situation to open it up."¹⁸⁸ Huegel added that the school was exploring every possibility to provide for the educational needs of every student. He was quoted as follows:

We are attempting here at Lane to set up a comprehensive program of education for every person in this community that wishes to come to high school.

There is no rule or regulation or right or responsibility we'll fail to explore this year in making this one school.¹⁸⁹

Lane High School remained a focus of tensions in Charlottesville. Six fire-bombs were tossed at the school building, causing minor damage, on the night of October 13, 1968.¹⁹⁰ This wanton act of destruction caused the School Board to hire night watchmen for all the public school buildings in the City. Eventually, burglar alarms connected to the police station were installed in each school.¹⁹¹

A public forum involving a panel discussion was conducted at Walker Junior High School on October 23, 1968.

¹⁸⁸The Daily Progress, September 25, 1968, p. 1-B, col. 1.

¹⁸⁹Ibid.

¹⁹⁰The Daily Progress, October 14, 1968, p. 11, col. 8.

¹⁹¹Charlottesville, Virginia School Board Minutes, September 18, 1969, pp. 4-5.

The discussion was entitled, "What's Going On at Lane?" and was sponsored by the Youth Council of the City Recreation Department. Generalizing about the other racial group seemed to be a cause of the breakdown in communications between the races, the panel discovered. The problem of a small group of black militants wandering in the halls at Lane, apparently creating some degree of difficulty, also was brought up.

Said one pupil about concerned parents:

. . . The older generation is hindering us in solving the problems at school more than anything. We are the ones who have to live now, and we have to solve our problems.¹⁹²

Racial tensions continued to mount at Lane High School. A few incidents of serious nature developed. One incident involved a black pupil striking an Assistant Principal of the school. Another incident involved a white pupil being beaten by three black pupils. The black pupils involved were suspended from school in each instance.

Seventy-five black pupils met in the Lane auditorium on the morning of November 4, 1968. They refused to go to class and demanded to meet with the Principal. The Principal informed them that he would not meet with them. He said further that they would either go to their assigned classes or leave the building. Approximately seventy-five of the pupils left the school. Although somewhat vague about their griev-

¹⁹²The Daily Progress, October 24, 1968, p. 1-B, col. 5.

ances, the black pupils indicated that they were dissatisfied with the severity of the punishment given the youth who struck the Assistant Principal. They were dissatisfied, they said, with the treatment they received from some teachers. The Principal stated his position as follows:

We are making every effort to provide a climate of education for all students; however, it appears that some students do not want to see this happen. This is our goal and it cannot be accomplished by action of this kind.¹⁹³

The pupils later amplified their grievances by stating that they wanted more black teachers, an expanded black history course, and fairer treatment from white teachers. The reaction of the Principal to the controversy over the suspension of the pupil for striking the Assistant Principal was as follows: "If they are going to resent every disciplinary action the administration feels is justified, that is a problem they are going to have to live with."¹⁹⁴

Community concern also was apparent. A City Council meeting was held on November 4, 1968. A woman in the audience asked the City Council what it "intended to do about Lane High School." She stated that, "our children aren't getting an education there . . . and . . . we can't get information about what's going on."¹⁹⁵ Councilmen pointed out

¹⁹³The Daily Progress, November 4, 1968, p. 17, col. 1.

¹⁹⁴The Daily Progress, November 5, 1968, p. 11, col. 4.

¹⁹⁵Ibid., col. 5.

that the Lane situation was reported amply in the daily newspaper and that the City Council had no authority in the schools. School operation was strictly a matter of School Board responsibility.¹⁹⁶

Another meeting was held by Lane High School pupils on the evening of November 6, 1968. This meeting was held by approximately one hundred white pupils and twenty-five-to-thirty white parents at a shopping center parking lot. The meeting was held to discuss unrest at Lane High School and possible ways of dealing with it. Said Willie T. Barnett, Jr., an Assistant Principal at Lane who attended the meeting: "These kids come to school for an education and they're tired of their education being interrupted." He advised pupils at the meeting "to go through the proper channels to discuss the situation." The next morning a delegation of five white pupils met with the Principal in his office.¹⁹⁷

Vice-Mayor Rinehart and other members of City Council were concerned about the situation. The Vice-Mayor was most concerned about the attitudes of young people. He stated at a meeting at the University of Virginia that ninety-eight per cent of the racial difficulties in Charlottesville could

¹⁹⁶Ibid.

¹⁹⁷The Daily Progress, November 7, 1968, p. 1-B, col. 1.

be attributed to "a group of young people who have polarized themselves into various groups. You just can't get to them."¹⁹⁸

The School Board was presented with an appeal on November 21, 1968. A black pupil requested that the School Board meet in executive session after the regular meeting to discuss "unjust" suspensions and other "injustices" to black pupils at Lane. The School Board met with the black pupils as requested. The School Board agreed that the suspensions were a necessary part of school discipline. School Board member Mitchell stated, however, that the black community felt the school administration was trying to make "examples" of these pupils. The School Board agreed that three of the pupils' suspensions would be reconsidered at a later date if recommended by the administration. The fourth pupil, accused of striking an Assistant Principal, was not to be reconsidered for readmission by the administration or the School Board.¹⁹⁹ The School Board approved the probationary readmission of the three pupils on January 16, 1969. The black pupils were readmitted to the high school because of changes in their attitudes.²⁰⁰

¹⁹⁸The Daily Progress, November 15, 1968, p. 15, col. 5.

¹⁹⁹Charlottesville, Virginia School Board Minutes, November 21, 1968, p. 1.

²⁰⁰Charlottesville, Virginia School Board Minutes, January 16, 1969, p. 1.

The City Council attempted to find answers to the racial division that seemed to beset the City. On October 7, 1968, Mayor Vogt appointed a bi-racial committee of thirty-two persons.²⁰¹ The committee was to discuss problems in the City which involved the question of race. The object of such discussion was to expose racial problems and made recommendations for their correction to City Council.²⁰²

One of the immediate actions of City Council was to provide funds for the supervision of after-school-hours use of school gymnasias. The City Council voted the necessary funds and announced on November 18, 1968 that plans had been made in cooperation with the School Board for the opening of seven gymnasias in the elementary and junior high schools. The gymnasias were to be opened each afternoon and on weekends for basketball, or other forms of team play.²⁰³ It was hoped that this action would provide a place for constructive play for youngsters, particularly boys, and consequently relieve the City of some social frictions.

The Mayor's bi-racial committee sponsored a meeting at St. Paul's Episcopal Church on January 17, 1969. Because the source of much of the racial discontent in the City seemed

²⁰¹Charlottesville, Virginia City Council Minutes, October 7, 1968, Minute Book L, p. 26.

²⁰²The Daily Progress, October 24, 1968, p. B-1, col. 1.

²⁰³Charlottesville, Virginia City Council Minutes, November 18, 1968, Minute Book L, p. 32.

to be Lane High School. Lane pupils were invited to attend the meeting to discuss racial differences. Approximately one hundred Lane pupils attended, with slightly more blacks than whites in attendance. A frank, sober discussion of the emotional issues concerning racial feelings was held. The tone of the discussion by whites was that in their opinion of attitudes of blacks, for "Black to be beautiful," white must necessarily be ugly or bad. Blacks contested that proposition by taking the position that "white can be beautiful too, so long as black isn't ugly at the same time!" Further discussion was held on "racially-loaded" words. For those who attended, an understanding between the two races was achieved.²⁰⁴

The School Board was asked questions about the position of the School Board in terms of the responsibility for social education of pupils. The School Board was questioned by the President of the PTA Council, Mrs. Kitty L. Landess, at the budget meeting on January 20, 1969. The questions expressed the concern that the PTA's held for the racial conflict that seemed to be present in Lane High School. The questions also demonstrated the belief of the PTA's that the School Board was in the position to deal positively and imaginatively with the problem. Mrs. Landess asked the following:

²⁰⁴The Daily Progress, January 18, 1969, p. 9, col. 1.

How are you teaching students to meet the demands of today's world: specifically are they receiving guidance on moral and social issues, particularly with regard to racial problems, as well as family living?

Are you providing time in which both students and faculties may examine their attitudes; time in which they may constructively consider what these attitudes are, how they were formed and whether they might wish to change? Is expert help being utilized in an effort to become more tolerant and concerned for others?²⁰⁵

No immediate response to those questions was made. It was clear, however, that responsible groups in the City had given considerable thought to the problem of racial friction in the schools. Those groups depended upon the School Board to provide the leadership for finding a way to solve the problem.

The tuition-grant program was ruled unconstitutional on February 11, 1969. Charlottesville City Council sought to defend the tuition-grant program, but those efforts, along with those of other local governments in Virginia, failed. The tuition-grant applications which were approved by November 15, 1968 were honored for the remainder of that school year.²⁰⁶

The School Board turned attention to another problem which held serious racial consequences. The School Board was building a new elementary school on the Southwestern side of the City. The School Board was named in a suit by the NAACP

²⁰⁵Charlottesville, Virginia School Board Minutes, January 20, 1969, p. 2.

²⁰⁶Griffin v. State Board of Education, 296 F. Supp. 1178 (1969).

to stop construction of the new school. The NAACP charged that the new school was part of a larger scheme to confine blacks to public housing in predominately-black sections on the Southern side of the City. The School Board denied the charge and moved to have the charges dismissed. The School Board proceeded with plans for building the school, and the court dismissed the charges against the School Board.²⁰⁷

A meeting was held on February 3, 1969 between the School Board and the City Council. The purpose of the meeting was for the School Board to present plans for elementary school attendance area rezoning to City Council. The Boundary study committee objectives also were explained. Those objectives were as follows:

- Redraw boundaries to include the new Southside School
- (a) Move as few children as possible
- (b) See that each school is within its capacity according to the 5 year building program
- (c) Seek a balance of the two ethnic groups in each school as far as practical.²⁰⁸

The boundary study committee was presented with a difficult problem if objective (c) were achieved. The so-called neighborhood concept of elementary schools would be ignored to a great extent. The new school was being built in a predom-

²⁰⁷Harris v. Charlottesville Redevelopment and the School Board of the City of Charlottesville, records on file in the office of the U. S. District Court, Western District of Virginia, Office of the Clerk, Charlottesville, Virginia.

²⁰⁸Charlottesville, Virginia School Board Minutes, February 3, 1969, p. 1.

antly-white neighborhood. Black pupils could be assigned to the school only if they were to come from a distance of two miles or more on a poor road, which was scheduled for improvement some years later in conjunction with an interstate highway building program. Furthermore, if relief were to be provided to Clark Elementary School on the Southeastern side of the City, pupils would have to be assigned to the new school from the Southern section of the Clark attendance area. Those pupils would have to travel along the same unimproved road for a distance of three miles or more.

The Greenbrier Elementary School was operating for the second year with black pupils assigned to the school from the Venable attendance area. The boundary study committee thought it desirable that boundaries be changed in such a way that black homes were included in the Greenbrier attendance area. Such action would make it no longer necessary to assign black pupils from the Venable attendance area to Greenbrier School. Because the majority of black homes were located near the center of the City, some method had to be found to zone black homes into the Greenbrier attendance area without bringing an overwhelming number of white homes into the Greenbrier area from the Venable area. Fortunately, a large public park was located on the Northern side of the City. It was proposed that the Greenbrier area include the park and move into predominantly-black residential sections

through vacant land adjacent to the park. Thus, a predominantly-black residential section near the center of the City was placed in the Greenbrier area which heretofore had no black residences. Each school would be provided with a desegregated school attendance area if the School Board approved the plan.

The School Board amplified the criteria used in developing the new elementary school attendance areas. The School Board listed the criteria at a meeting on February 20, 1969. Those criteria were expanded to read as follows:

1. To assign pupils to each school in the light of the five-year building program.
2. To apply criteria which take into consideration racial balance.
3. To retain present attendance areas for pupils insofar as practicable.
4. To provide for safety of pupils to and from school centers taking into account natural and manmade barriers.
5. To take into consideration future housing developments insofar as the factors indicate at this time.²⁰⁹

The School Board announced a special meeting for February 26, 1969 to consider the new elementary attendance area plan. The meeting was held, and action on the new elementary school attendance area plan was postponed until the regular meeting of the School Board on March 20, 1969. The School Board

²⁰⁹Charlottesville, Virginia School Board Minutes, February 20, 1969, p. 3.

indicated at the meeting that busing would be provided for those pupils who must travel to the new school on the unimproved street.²¹⁰

The School Board was forced to alter plans for moving into the new school in the fall of 1969. The contractor was delayed in completing the building. The school administration proposed three plans to house affected pupils, two of which involved variations of split shifts at Clark Elementary and Johnson Elementary Schools which were to be relieved by the new school. The third plan simply held to the old school areas for the two schools until the new school was completed. The third plan called for overcrowded conditions at the two existing schools but was adopted by the School Board. All three programs were described by School Board member Kessler as workable, but he thought that the School Board should adopt the program which caused the least inconvenience to parents.²¹¹

The meeting of March 20, 1969 revealed the thoughts of some individual members of the School Board toward the elementary school attendance area plan. School Board member Humphris was critical of the plan because it seemed to him

²¹⁰Charlottesville, Virginia School Board Minutes, February 26, 1969, p. 1.

²¹¹The Daily Progress, March 12, 1969, p. 1-B, col. 1.

to ignore completely the concept of neighborhood schools.

He stated the following:

. . . I personally oppose some of the proposed school districts because I believe racial balance has been the most important factor in determining them. . . .²¹²

School Board member Mitchell countered that, as far as he was concerned, there was never a concept of neighborhood schools in Charlottesville except for whites. He said that it was unrealistic to expect neighborhood schools in Charlottesville because the schools were built for use in a dual school system that no longer existed. Mitchell also stated that until any black could buy a house anywhere in Charlottesville, he was opposed to the concept of neighborhood schools.²¹³ The School Board approved the new elementary school attendance area plan with one negative vote. The new elementary school attendance area plan, thus, was approved by the School Board for use during the next school year, and all school attendance areas in Charlottesville were desegregated.

²¹²Charlottesville, Virginia School Board Minutes, March 20, 1969, p. 7.

²¹³Ibid.

Chapter 5

ANALYSIS OF THE PROCESS OF SCHOOL DESEGREGATION IN CHARLOTTESVILLE, VIRGINIA

INTRODUCTION

It was the purpose of this chapter to analyze the process of school desegregation in Charlottesville, Virginia that is described in the preceeding chapters of this study. That analysis was made in an effort to answer the questions which were included in the statement of the purpose of the study. Those questions were as follows: (1) How did the individuals, institutions, and interest groups respond to the inputs examined in the study? (2) What pattern, or patterns of relationships developed among individuals, institutions, and interest groups? and (3) What were the significant actions and decisions which produced identified changes?

The analysis was organized on the basis of three time periods. The analysis was made by applying to each time period a political systems framework in which inputs, interactions, and outputs were identified. After those elements had been identified, they formed the basis for answers to the questions stated above.

ANALYSIS OF THE FIRST TIME PERIOD FROM
MAY 17, 1954 THROUGH SEPTEMBER 8, 1959

During the first time period, school desegregation in Charlottesville was dominated by the legal issues involving the federal courts, the Virginia General Assembly, and the Governor of Virginia. The legal issues which involved the individuals, institutions, and interest groups and the results of the interaction among all participants reported during the first time period are analyzed in the following section.

Input During the First Time Period

The input that initiated the process of school desegregation in Charlottesville was the decision of the Supreme Court in Brown v. Board of Education of Topeka.¹ The decision of the Supreme Court signalled to all concerned in Charlottesville that schools segregated by law would be challenged by blacks at the local level of operation. Legal action by blacks before federal court was probable if desegregation were not granted by the School Board.

Interaction During the First Time Period

Charlottesville was a legal battleground for school desegregation in the years immediately following the Brown

¹Brown v. Board of Education of Topeka, 74 S. Ct. 686 (1954).

decision by the Supreme Court. The action of the Charlottesville School Board to desegregate certain public schools was the result of interaction among the National Association for the Advancement of Colored People, the School Board, the Charlottesville City Council, the federal courts, the General Assembly of Virginia, and the Governor of Virginia. That interaction was produced as a result of the request to the School Board by certain black parents, supported by the NAACP, that their children be enrolled in certain white public schools.² The School Board, following general directives from the Virginia State Board of Education, refused the request of the black parents for transfers to white public schools.³ The next action of the black parents was to enter a suit, with NAACP support, against the School Board. In the suit, Allen v. School Board of the City of Charlottesville, black parents sought a court order from the U. S. District Court for the Western District of Virginia to transfer black pupils to white public schools.⁴

The General Assembly of Virginia provided additional interaction. The General Assembly brushed aside the

²Charlottesville, Virginia The Daily Progress, October 6, 1955, p. 1, col. 2.

³Charlottesville, Virginia School Board Minutes, October 13, 1955, p. 3.

⁴School Board of the City of Charlottesville v. Allen, 240 F. 2d 59 (1956).

recommendations of the Governor's Select Commission on Public Education (Gray Commission). Those recommended measures probably would have permitted token desegregation throughout the State.⁵ The General Assembly enacted into law, in 1956, a number of measures which came to be called massive resistance legislation. The laws, approved by Governor Thomas B. Stanley, permitted the Governor to close any public schools in the State if desegregation were to take place in those schools.

The Charlottesville School Board was placed in a difficult position because of the massive-resistance laws enacted by the General Assembly. The School Board was engaged in a federal court suit. It appeared that the suit might end with an order from the court to enroll black pupils in some white schools under the jurisdiction of the School Board. Obedience to such a decision was mandatory. The execution of such an order meant, however, that the Governor would close the affected schools.⁶

The School Board was instructed by the City Council to defend itself with the best possible defense it could build. Attorneys were engaged, and legal assistance was

⁵The Daily Progress, September 13, 1956, p. 1, col. 8.

⁶Ibid.

provided from the office of the Attorney-General of Virginia.⁷ The suit was heard during the second week of July, 1956. The District Court decision was given on July 12, 1956.

The School Board was ordered to prepare plans to desegregate some schools during the fall of 1956.⁸ The order was stayed because the attorneys for the School Board entered an appeal. The appeal was rejected by the Fourth U. S. Circuit Court of Appeals on December 31, 1956. The order was stayed, pending an appeal to the U. S. Supreme Court by the attorneys for the School Board.

The Supreme Court announced on March 25, 1957 that it would not hear the Charlottesville appeal. The decision of the lower courts, according to the Supreme Court, was in accord with the decision in Brown v. Board of Education of Topeka, and it was unnecessary, therefore, to hear the Charlottesville case. A few days later, on March 29, 1957, the Circuit Court issued a mandate to the District Court to act on the previous decision of that court, or await new action from the plaintiffs.⁹

The attorneys for the National Association for the Advancement of Colored People asked the District Court on

⁷Charlottesville, Virginia School Board Minutes, May 17, 1956, p. 1.

⁸School Board of the City of Charlottesville v. Allen, Ibid.

⁹The Daily Progress, March 29, 1957, p. 1, col. 5.

July 25, 1957 for early desegregation of the affected schools in Charlottesville. The Judge suspended his original decree, however, to await a Supreme Court decision in another case being prosecuted by the NAACP in Virginia.¹⁰

The District Court waited almost a year for the decision. A decision was not apparent during the spring of 1958. The District Court, on May 12, 1958, ordered the Charlottesville School Board to develop a plan for desegregation to become effective during the school year 1958-1959.¹¹

A plan was devised by the School Board. Initially, twenty-six black pupils applied for transfer to white schools on May 22, 1958.¹² Others were to follow in making applications.

The NAACP attorneys objected to the desegregation plan of the School Board. The attorneys did not like the required testing and interviewing of the black applicants because the tests and interviews were not required for white pupils. Although the District Court was not pleased with the elementary school district lines, the District Court permitted the School Board to proceed with the plan.¹³

¹⁰The Daily Progress, July 26, 1957, p. 1, col. 7.

¹¹The Daily Progress, May 12, 1958, p. 1, col. 8.

¹²The Daily Progress, May 22, 1958, p. 1, col. 7.

¹³The Daily Progress, August 27, 1958, p. 1, col. 6.

The School Board met on September 5, 1958 to consider action on the applications of the black pupils. The School Board refused to grant transfers to any of the black pupils. The School Board cited deficient test scores, residence, and poor social adjustment of the black pupils as bases for the decision.¹⁴

The District Court heard two days of arguments by attorneys for the NAACP and the School Board. The Court announced a decision on September 10, 1958. The School Board was ordered to transfer ten black pupils to Venable Elementary School and two black pupils to Lane High School. The Court refused the transfer of other applicants to white schools because of low test scores or because of residence.¹⁵

The decision of the District Court produced a crisis for the School Board and the City of Charlottesville. The School Board was aware of the significance of the decision. The closing of public schools in the City was a reality under the massive resistance laws. On September 5, 1958, the attorney for the School Board advised the School Board to open those schools not affected by the court order. Pupils assigned to the affected elementary schools could not be transferred to other elementary schools in the City if the other

¹⁴Charlottesville, Virginia School Board Minutes, September 5, 1958, p. 1.

¹⁵School Board of the City of Charlottesville v. Allen, 263 F. 2d 295 (1959).

schools were to remain open. The first day of school at Venable Elementary School and Lane High School was postponed until September 22, 1958.¹⁶

Governor J. Lindsay Almond, Jr. met with the School Board attorney in Richmond on September 18, 1958. The Governor told the attorney that he planned to close Venable Elementary School and Lane High School to forestall desegregation at the two schools. The School Board met the next day and surrendered the two schools to State authority, and they were closed.¹⁷

The Governor used his authority under the massive-resistance laws of Virginia to keep the two schools closed until January 19, 1959, at which time the Virginia Supreme Court of Appeals ruled that the laws were unconstitutional. Considerable pressure was placed on the School Board by demands from individuals and interest groups after that time. Many businessmen supported a petition circulated by one of their number. The petitioners urged the School Board to reopen the two closed schools. A group supporting public education, the Committee for Public Education, personally contacted each School Board member to plead for the reopening

¹⁶Charlottesville, Virginia School Board Minutes, September 11, 1958, p. 1.

¹⁷Charlottesville, Virginia School Board Minutes, September 19, 1958, p. 1.

of the two schools. The League of Women Voters voiced support for reopening the two schools. The Parents' Committee for Emergency Schooling, a group providing space for some elementary classes from Venable Elementary School in private homes and cooperating in operation of classes for displaced Lane High School students, supported the reopening of the two schools. Apparently, these groups supported desegregated public schools over closed public schools.¹⁸ The two schools were reopened on February 4, 1959.

The Defenders of State Sovereignty and Individual Liberties was opposed to the reopening of the two schools. The same was true of the Charlottesville Education Foundation which was operating an elementary school program for some Venable Elementary School pupils and cooperating with the Parents' Committee for Emergency Schooling in the high school program. The commitment of the Defenders was to segregated schools. The CEF was organized partially through the efforts of the Defenders. The CEF was, therefore, primarily oriented to segregated schools. The two schools, Venable and Lane, if reopened, would be nominally desegregated under the circumstances. Apparently, the two groups favored segregated private schools over desegregated public schools, and this seemed to be the basis for their position.¹⁹

¹⁸The Daily Progress, January 21, 1959, p. 15, col. 5.

¹⁹The Daily Progress, January 23, 1959, p. 13, col. 4.

The School Board attorney informed the School Board on January 23, 1959 that there were no further obstacles to reopening the two schools. He stated that the School Board must assume responsibility for the two schools and reopen them in accordance with the law.

On January 26, 1959, the School Board directed its attorney to seek a stay of the desegregation order of the District Court until September, 1959. The attorney presented the request of the School Board to the Fourth U. S. Circuit Court of Appeals. The request for a stay of the desegregation order of the lower court was predicated on the adoption by the School Board of a non-discriminatory, pupil-assignment plan to be put into operation beginning with the opening of school in September, 1959. The School Board also promised to provide tutorial service to the twelve black pupils who were displaced from school during the time the two schools were closed.²⁰

On January 30, 1959, the Circuit Court granted the stay of the desegregation order of the District Court until September, 1959, even though the NAACP voiced objections. The stay was conditioned on the filing of a desegregation plan with the District Court within twenty days. That afternoon, the School Board announced that Venable Elementary

²⁰Charlottesville, Virginia School Board Minutes, January 26, 1959, p. 2.

School and Lane High School would be reopened on February 4, 1959.²¹ Black pupils were enrolled in the two schools on September 8, 1959, when school opened for the new school year.

The School Board attempted to reach a compromise between the demands of the two factions in the community. The pro-school faction demanded that the two schools be reopened. The segregationist faction demanded that the two schools remain closed. The School Board was successful in efforts to obtain a stay of the desegregation order from the Circuit Court. The action of the Circuit Court permitted the School Board to reopen the two schools in accordance with the demands of the pro-school faction. The action also permitted the schools to be reopened as segregated schools in accordance with the demands of the segregationist faction. The plan of the School Board was a signal to the segregationist faction that plans had to be made for a private school program for the following year if white pupils in the affected attendance areas were to attend segregated schools.

Output of the First Time Period

The output of the interaction described in this time period was the decision of the School Board which permitted the initial step of school desegregation in Charlottesville.

²¹The Daily Progress, January 30, 1959, p. 1, col. 7.

The decision of the School Board came as a result of an input into the political system which placed pressure upon the system. The interaction among institutions, individuals, and interest groups was generated by the pressure of the input. The interaction produced a decision by the authoritative agency, the School Board, which was the output of desegregation of certain public schools in Charlottesville.

Responses During the First Time Period

The input and interaction examined in the first time period produced an unexpected response in the political system. Many individuals aligned themselves with organizations or groups which those individuals thought could express their opinions and influence decisions made by authoritative agencies. Some individuals, by the prestige of their social status or position, attempted to influence the same authoritative agencies. The institutions, in this case, the authoritative agencies, responded to individuals, other institutions, and interest groups by attempting to preserve the status quo, apparently because political support seemed strongest among those who wished to maintain the political system as it was. The authoritative agency responsible for change, the federal court system, was not responsible to the voters. It could order change without fear of political repercussion and could make decisions for the welfare of those who had no political leverage.

The responses in the first time period, with two exceptions, did not take place between those who supported desegregated schools and those who opposed desegregated schools. The interaction of supporters or opponents seemed to take place with authoritative agencies almost exclusively, such as with the School Board, the City Council, the federal courts, the General Assembly, the Governor's office, or the State courts. For example, there was no interaction between the NAACP and the Defenders. There was only one instance recorded of interaction between the Defenders and the Human Relations Council.²² There was only one instance recorded of interaction between the White Citizens' Council and the Human Relations Council.²³ The initial interaction between the NAACP and the School Board was direct, but later interaction was produced through the federal courts. The authoritative agencies interacted with each other on both official and unofficial or informal levels. The federal courts interacted in the political system as a result of a suit brought before the courts. The final appeal of the Charlottesville case, Allen v. School Board of the City of Charlottesville, before the Supreme Court permitted further interaction in the political system of Charlottesville. That interaction

²²The Daily Progress, July 20, 1955, p. 1, col. 1.

²³The Daily Progress, August 24, 1956, p. 3, col. 1.

produced a tuition-grant school for segregationists with children of school age. The interaction served, also, to adjust further the remaining public school supporters to the concept of school desegregation.

Relationships During the First Time Period

A pattern of relationships developed during the first time period. That pattern centered about the position taken by the individuals, institutions, or interest groups concerning the question of school desegregation. Those in the political system who favored public school desegregation supported the NAACP suit, Allen v. School Board of the City of Charlottesville, after the School Board refused to transfer black pupils to certain white public schools. The pattern followed by this portion of the political system was a continued reliance on the federal court system to achieve school desegregation.

Those who did not wish to implement desegregation of public schools turned their attention to the State government. That attention helped bring passage of massive-resistance legislation by the General Assembly.

Those who supported the desegregation of public schools found that relief for their position was available in the federal court system. Those who opposed school desegregation found that support for continued public school segregation was available in the State government through

elected and appointed State officials. The pattern developed that school desegregation became dependent upon federal court orders, while school desegregation was resisted at the local and State levels.

Decisions and Actions During the First Time Period

There were several significant actions and decisions which led to change during the first time period. The first was the refusal of the School Board to transfer certain black pupils to certain white schools. As a result of that decision by the School Board, the NAACP entered a suit, Allen v. School Board of the City of Charlottesville, to desegregate schools in the City.

The School Board decided, with City Council approval, to defend itself against the suit. Assistance also was made available from the Attorney-General of Virginia. That action meant that the NAACP would have to wage a series of legal contests to achieve the goal of school desegregation.

The enactment of the massive-resistance laws by the Virginia General Assembly was a significant act. Certain options pertaining to school desegregation were removed from the discretionary use of all local school boards in Virginia through the enactment of massive-resistance laws.

The decision of the U. S. District Court in 1956 to transfer black pupils to two white schools in Charlottesville was important. The Charlottesville School Board was thrust

between the power of the State government and the authority of the federal courts.

The decision of the School Board to appeal the decision of the District Court was important, because the appeal helped delay the enforcement of the court order to desegregate, thus keeping the two schools open. The crisis between State power and federal court authority was delayed as a result.

The final desegregation order from the District Court in September, 1958 was important. The order precipitated the crisis in which the Governor of Virginia closed two schools in Charlottesville.

The overturning of the massive-resistance laws by the Virginia Supreme Court of Appeals was a significant step toward reopening the schools. As a result, the School Board proposed a desegregation plan to the U. S. Fourth Circuit Court of Appeals which was approved. The two closed schools were reopened immediately, on February 4, 1959, and desegregated on September 8, 1959.

ANALYSIS OF THE SECOND TIME PERIOD FROM SEPTEMBER 8, 1959 THROUGH AUGUST 31, 1965

During the second time period, a transition occurred in the process of school desegregation in Charlottesville. The NAACP continued to keep pressure on the School Board with desegregation suits. As interaction developed during

the time period, school desegregation plans of the School Board were overruled in federal court, and the freedom-of-choice enrollment plan collapsed because of floods of applications from black pupils wanting to attend white schools near their homes. The School Board was forced to seek another solution to the placement of black and white pupils in appropriate schools. With the black elementary school suffering from a decreased enrollment, the School Board took action to close the black elementary school and to attempt another enrollment plan.

Input During the Second Time Period

The input that determined the beginning of the second time period was the transfer of the first black pupils to formerly-white schools in Charlottesville on September 8, 1959. That day marked the first step toward the total desegregation of schools in the City. The input for the second time period, as described, provided the encouragement that advocates of desegregated schools needed to continue the struggle toward total school desegregation.

Interaction During the Second Time Period

The initial interaction in the second time period was correspondence between the NAACP and the School Board to ask for greater efforts toward desegregation on the part of the School Board. The School Board advised the NAACP

that it was operating the schools in accordance with a court-approved desegregation plan and intended to continue to do so.²⁴ On June 2, 1960, the NAACP influenced black parents to request additional transfers for their children from black schools to white or predominately-white schools.²⁵ The School Board continued to assign a few black pupils to Venable Elementary School and Lane High School upon the recommendation of the Superintendent.

The NAACP initiated another suit, Dodson v. School Board of the City of Charlottesville. The suit was brought by some of the black parents of children who were refused transfer to white schools in the first encounter with the courts. Other black parents and children also were engaged in the suit. Transfer to Venable Elementary School, Lane High School, and Johnson Elementary School was sought. The plaintiffs asked the District Court on July 16, 1960 to review the desegregation plan of Charlottesville to bring about the total desegregation of schools in Charlottesville. The District Court ruled in favor of the School Board on August 16, 1960 because, in the opinion of the Court, the desegregation plan of the School Board was not discriminatory.

²⁴Charlottesville, Virginia School Board Minutes, May 12, 1960, p. 6.

²⁵The Daily Progress, June 2, 1960, p. 25, col. 5.

The NAACP moved to appeal the decision.²⁶

The Circuit Court ruled in favor of the School Board on April 14, 1961. The Court declared that it would have ruled the plan unconstitutional except that the School Board had not defended the plan as a permanent one. The Court also indicated that the good faith of the School Board for implementing further desegregation was a major factor in the decision. It appeared that the initiative of the School Board in transferring a large proportion of those black pupils enrolled in predominately-white schools was evidence of the good faith of the School Board.²⁷

The NAACP was determined to continue the pressure upon the School Board. Application forms for school transfer were printed and distributed to black parents by the NAACP. The School Board transferred eight black pupils as a result of that effort by the NAACP. Thirty-six applications were denied.²⁸

The suit, Allen v. School Board of the City of Charlottesville, Va., was filed on September 14, 1961.²⁹ Twenty-

²⁶Dodson v. School Board of the City of Charlottesville, 289 F. 2d 439 (1960).

²⁷Ibid.

²⁸Charlottesville, Virginia School Board Minutes, June 6, 1961.

²⁹Allen v. School Board of the City of Charlottesville, Va., 203 F. Supp. 225 (1961).

five plaintiffs were involved in the suit. The plaintiffs included pupils who had been denied transfers to white schools by the District Court in the Allen case and pupils who had been denied transfers to white schools by the School Board. A reversal of those decisions was sought by the plaintiffs. The hearing began on October 23, 1961 in District Court. The Court ruled in favor of the School Board on the administration of the elementary school desegregation plan. The high school desegregation plan was ruled invalid. The decision was announced formally on December 19, 1961. The School Board appealed the decision on the high school plan. The NAACP appealed the decision on the elementary school plan.³⁰

The initial reaction of the Circuit Court was somewhat critical of the desegregation plan of the School Board. The entire bench of five judges heard the appeals on September 14, 1962. The panel of judges voted 3-to-2 in upholding the decision of the District Court regarding the invalidity of the high school desegregation plan. The Circuit Court panel also voted 3-to-2 in reversing the decision of the District Court regarding the administration of the elementary school desegregation plan. The decision of the Circuit Court established, in effect, that the School Board was expected

³⁰Ibid.

to expedite the desegregation of public schools.³¹

The School Board did not contest the decision of the Circuit Court on the high school desegregation plan. The black pupils involved in the case were transferred immediately to the predominantly-white high school. The decision of the Circuit Court on the elementary portion of the desegregation plan was appealed, however, to the Supreme Court by the School Board. A stay of the elementary school order was granted by the Circuit Court until the appeal could be heard by the Supreme Court.³²

The appeal of the School Board came to the direct attention of Chief Justice Earl Warren. He reversed the stay on October 19, 1967. Black pupils affected by the decision were transferred immediately to predominantly-white elementary schools. On this occasion, four black pupils were transferred to Johnson Elementary School for the first time.³³

The influence of the NAACP continued to be felt by the School Board. A building program was needed to accommodate expanded enrollments in all schools. A building program

³¹Dillard v. School Board of the City of Charlottesville, Va., 308 F. 2d 920 (1962).

³²School Board of Charlottesville, Virginia v. Dillard, 374 U. S. 827, 83 S. Ct. 1864 (1963).

³³Ibid.

which included three junior high schools was approved on January 21, 1963. The approved building program included one junior high school to be built at the joint City-County black high school.

The plan was opposed vigorously by the NAACP. The NAACP favored building junior high schools, but was against any plan which would perpetuate the existence of segregated schools such as the black high school.³⁴ The black elementary school PTA also opposed the building of the proposed junior high school on the black high school site.³⁵

The NAACP entered a suit, Williams v. School Board of the City of Charlottesville, on April 26, 1963. The suit was designed to halt any plans for building a junior high school at the black high school site. A further purpose of the suit was to halt the operation of the segregated black high school.

The City Council and the School Board yielded to the demands of the NAACP as a result of the above interaction. The School Board announced on June 11, 1963 that two junior high schools would be built. Neither of them was to be built on the black high school site.³⁶

³⁴The Daily Progress, January 10, 1963, p. 1, col. 2.

³⁵The Daily Progress, February 4, 1963, p. 13, col. 5.

³⁶Charlottesville, Virginia School Board Minutes, June 11, 1963, p. 1.

The Supreme Court rendered a decision in a case related to Dillard v. School Board of the City of Charlottesville. The court decision had the effect of prohibiting any school assignment plan in which the outcome was likely to be the perpetuation of racial separation in the schools.³⁷ Apparently as a consequence, the School Board adopted a freedom-of-choice attendance policy. Any pupil in City schools was permitted to attend any City school for his appropriate level of work so long as space was available in the desired school.

The NAACP maintained pressure on the School Board. A letter was sent to the School Board from the NAACP on November 2, 1963. The NAACP demanded desegregated teaching staffs at all schools. Another demand by the NAACP was that all black seventh graders be included in the junior high school program. The Superintendent replied to the letter and reminded the NAACP of the freedom-of-choice attendance policy for pupils. According to the daily newspaper, the Superintendent wrote that the future placement of any teacher in the school system could not be determined at that time.³⁸

The suit, Williams v. School Board of the City of Charlottesville, came before the District Court on March 5,

³⁷Goss v. Board of Education of the City of Knoxville, Tennessee, 373 U. S. 683, 83 S. Ct. 1405 (1963).

³⁸The Daily Progress, November 2, 1963, p. 9, col. 1.

1964. On April 17, 1964, the NAACP presented the District Court with a motion to reopen the case, Allen v. School Board of the City of Charlottesville. The strategy of the NAACP was to obtain a court ruling concerning the assignments of teachers and staff in the school system.

The District Court heard the case, Williams v. School Board of the City of Charlottesville, on August 14, 1964. The Court heard presentations for one day and declared that action would be delayed until a decision was made on another case then before the Circuit Court. The delay permitted the District Court to have the benefit of the decision of the Circuit Court on those portions which were related to the Williams case. The Allen case also was delayed.³⁹

The NAACP asked the School Board on June 2, 1964 to end all segregation in the public schools of Charlottesville. The assistance and advice of the NAACP were offered to the School Board to achieve those ends.⁴⁰ No action was taken by the School Board on the offer of the NAACP.

President Lyndon B. Johnson signed the Civil Rights Act on July 2, 1964. The U. S. Commissioner of Education, Francis I. Keppel, came to Charlottesville on July 25, 1964 and informed educators in the area about their responsibilities

³⁹The Daily Progress, August 15, 1964, p. 9, col. 6.

⁴⁰The Daily Progress, June 2, 1964, p. 13, col. 8.

of their respective school systems under the provisions of the Civil Rights Act.⁴¹ The Charlottesville School Board voted on February 22, 1965 to comply with the applicable provisions of the law.⁴²

The NAACP wrote to the School Board on December 3, 1964. The organization demanded that the School Board abandon the freedom-of-choice assignment policy for the new junior high schools. The NAACP wanted the School Board to assign all seventh, eighth, and ninth graders in City schools to the new junior high school program when the program began operations. A meaningful desegregation plan for all other public schools of the City also was demanded by the NAACP. The School Board did not comply with the demand.⁴³ The School Board agreed to continue the assignment plan then in effect and to offer the seventh grade at the black elementary school for those who wished to attend that school.⁴⁴

A relatively new group, the Citizens' Democratic Council, entered the political system and placed pressure on the School Board. One of the first acts of the Citizens'

⁴¹The Daily Progress, July 25, 1964, p. 9, col. 1.

⁴²Charlottesville, Virginia School Board Minutes, February 22, 1965, p. 1.

⁴³The Daily Progress, December 3, 1964, p. 25, col. 5.

⁴⁴Charlottesville, Virginia School Board Minutes, December 10, 1964, p. 1.

Democratic Council was to demand that all seventh, eighth, and ninth graders be enrolled in the new junior high school program, when the program was placed in operation.⁴⁵ The Citizens' Democratic Council apparently cooperated with the NAACP in influencing parents of children at the black elementary school, because only thirty pupils elected to attend a seventh-grade program at that school. The result was that the School Board decided on February 22, 1965 not to offer the seventh grade at the black elementary school during the next school year.⁴⁶

Four groups active in supporting desegregation efforts in the public schools, or seeking desegregation of public schools in the federal court system, met on June 1, 1965. The groups were: the NAACP; the Human Relations Council; the Citizens' Democratic Council; and the Charlottesville Churchmen for Social Action. A fifth group also was represented at the meeting. That group was the Charlottesville Freedom Movement. An unofficial interaction took place between these groups and the School Board. An unofficial representative of the School Board, a desegregation consultant, appealed to the above groups to ease their pressure on the School Board. He stated that the School Board was considering

⁴⁵The Daily Progress, February 19, 1965, p. 13, col. 2.

⁴⁶Charlottesville, Virginia School Board Minutes, February 22, 1965, p. 1.

a plan to desegregate most of the public schools and all of the school staff.⁴⁷

Interaction took place on June 3, 1965 between the School Board and some representatives of the groups discussed above. There appeared to be indications at the meeting that the School Board was prepared to abandon the freedom-of-choice attendance plan.⁴⁸ Parents of pupils at the black elementary school exercised their option to apply for their children to transfer to other elementary schools in the City. The result was that at least two schools were about to be impossibly overcrowded and the black elementary school was to be seriously under the potential enrollment of that school. Pressure was placed upon the School Board by the representatives to consider another assignment plan.

The result of the continuous interaction discussed during the second time period was the action taken by the School Board on June 30, 1965. The black elementary school was closed for use as an elementary school. It was to be used for one year to house a double-shift junior high school program. All seventh graders were assigned to the junior high schools. Freedom-of-choice attendance remained the policy for grades eight and nine. The high school also used

⁴⁷The Daily Progress, June 2, 1965, p. 25, col. 4.

⁴⁸The Daily Progress, June 4, 1965, p. 1, col. 5.

the freedom-of-choice attendance policy. An attendance area plan was enacted for elementary schools. Five of the six elementary schools were to house desegregated pupil populations. Greenbrier Elementary School retained a white enrollment because of the location of the school on the suburban fringe of the City. The School Board announced that the teaching staff was to be desegregated during the next school year. White and black teachers were to be assigned to all schools operated by the School Board.

Several attempts were made to appoint a black to the School Board during the second time period. Serious consideration was not given to such a possibility by City Council, the appointing body, until June 18, 1962, when a City Councilman nominated a black dentist for School Board membership. The nomination did not receive support by any of the other four Councilmen. The nominating Councilman stated that placing a responsible black on the School Board would serve to alleviate the suspicions that blacks in Charlottesville had of the School Board.⁴⁹

The issue of appointing a black to the School Board was raised again by the same City Councilman on June 15, 1964. The Councilman nominated a black minister. The other members of City Council did not support the nomination, and

⁴⁹Charlottesville, Virginia City Council Minutes, June 18, 1962, Minute Book K, p. 82.

the black minister was not appointed, even though the outgoing Chairman of the School Board supported the concept of black representation on the School Board.⁵⁰

The majority of City Council changed positions on the issue of a black appointment to the School Board the next year. It appointed the first black, a businessman, to the School Board on June 21, 1965.⁵¹ The Citizens' Democratic Council supported such an action. NAACP demands for such action during the period also were satisfied.

Output of the Second Time Period

The second time period ended with a two-part output concerning school desegregation. The people of Charlottesville were about to enter their first comprehensive desegregation experience with the closing of the black elementary school, and a black was elected to the School Board.

Responses During the Second Time Period

During the second time period, there was little or no organized response from individuals, institutions, or interest groups opposed to school desegregation. The massive-resistance laws were declared unconstitutional by the Virginia Supreme Court of Appeals, and this apparently exhausted the

⁵⁰ Charlottesville, Virginia City Council Minutes, June 15, 1964, Minute Book K, p. 226.

⁵¹ Ibid., June 21, 1965, p. 301.

hopes of the segregationist groups of preventing public school desegregation. The segregationists turned their attention to the foundation and operation of private, tuition-grant schools for white pupils. Public schools were left to those who wished to support them.

The response of the NAACP was to continue efforts toward the desegregation of the schools. During the time period, several suits were entered by the NAACP against the School Board. The object of each of those suits was to bring about wider school desegregation than was then established or complete desegregation of the public schools in Charlottesville. A freedom-of-choice school assignment plan resulted from the suit, Dillard v. School Board of the City of Charlottesville.

The Citizens' Democratic Council joined the NAACP in asking that freedom-of-choice assignments be abandoned for pupils entering the new junior high school program. The NAACP and Citizens' Democratic Council influenced black parents by asking them to transfer their seventh graders to the junior high schools. The School Board then abandoned plans for a seventh grade at the black elementary school. The same effort by the NAACP and the CDC created a sufficient number of transfers from the black elementary school to cause the School Board, on June 30, 1965, to discontinue operating the black elementary school and to develop new elementary school attendance zones.

Relationships During the Second Time Period

A pattern of relationships seemed to develop between the NAACP and the School Board. The practice developed that the NAACP presented the School Board with requests for transfers of additional black pupils to white or formerly-white public schools. The interaction between the NAACP and the School Board produced action on the part of the School Board, which was short of meeting the demands of the NAACP, or produced no action at all on the part of the School Board. This procedure usually led the NAACP to take some legal action, either toward the initiation of a new school suit, such as was the case in Dodson v. School Board of the City of Charlottesville, or the reopening of a former desegregation case such as Allen v. School Board of the City of Charlottesville.

The State government became rather inactive in the process of school desegregation during the second time period. The court decisions upholding desegregation and invalidating the massive-resistance laws caused the State government and most State politicians to withdraw from the controversy.

The Virginia State Department of Education became a clearing house for school desegregation after the enactment of the Civil Rights Act of 1964. The Charlottesville School Board was required to submit a desegregation plan to the State Department of Education for approval to remain eligible

for the receipt of federal funds and participation in surplus programs for public schools.

The Defenders of State Sovereignty and Individual Liberties virtually abandoned the controversy. After aiding in the establishment of the white tuition-grant schools, the Defenders ceased to function as an organization in Charlottesville.

Court decisions continued to play a major role in School Board decisions. The decision of the Fourth Circuit Court of Appeals in the case, Dodson v. School Board of the City of Charlottesville, permitted the School Board to continue the operation of the school desegregation plan first put into operation as a result of the District Court ruling in Allen v. School Board of the City of Charlottesville. The decision of the Fourth U. S. Circuit Court of Appeals in the case, Dillard v. School Board of the City of Charlottesville, led the School Board to abandon the original school desegregation plan and to turn to a freedom-of-choice or open enrollment plan for all pupils in the school system. The suit, Williams v. School Board of the City of Charlottesville, did not produce a court decision. The suit was used, however, to bring pressure upon the political system. That pressure produced the decision by the School Board to halt plans for expanding the black high school. Allen v. School Board of the City of Charlottesville was reopened by the

District Court to review the practices of the School Board in making assignments for teachers and other professional staff. The Williams and Allen cases were dismissed by the District Court after two years when the objectives of the suits were met by School Board action.

The Citizens' Democratic Council developed a pattern of supporting NAACP demands upon the School Board. The Citizens' Democratic Council, composed of Democrats who affiliated with the national Democratic leadership, rather than the State Democratic leadership, performed in an activist manner. The CDC went before the School Board with demands for further desegregation, especially in the junior high school program when it was adopted by the School Board.

The Human Relations Council continued to function as an information-disseminating body. The Human Relations Council did not pursue an activist role with the School Board, but supported those who attempted to produce greater efforts toward desegregating the public schools.

Those groups, such as Charlottesville Churchmen for Social Action and the Charlottesville Freedom Movement, which were predominately-black in membership, seemed to turn to the NAACP for redress of grievances raised by them against the political system. The NAACP appeared to absorb the energies and positions of these groups, probably because many in these activists groups were also members of the NAACP.

Decisions and Actions During the Second Time Period

There were many significant actions and decisions which led to change during the second time period. The initial decision of significance was the refusal of the School Board to alter the school desegregation plan approved by the District Court in the Allen case when requested to do so by the NAACP. That action caused the NAACP to initiate the suit, Dodson v. School Board of the City of Charlottesville, to change the school desegregation plan of the School Board.

When the Circuit Court refused to overrule the desegregation plan of the School Board in the Dodson case, the NAACP entered another suit with broader implications than in the Dodson case. In the case, Dillard v. School Board of the City of Charlottesville, the administration of the elementary and high school desegregation plans of the School Board was protested.

The Circuit Court agreed with the cases presented by the NAACP and ruled against the elementary and high school desegregation plans of the School Board in the Dillard case. That decision by the Court caused the School Board to adopt a freedom-of-choice or open enrollment plan for all schools operated by the School Board.

The School Board then discussed building three junior high schools, one of which was to be built on the site of the black high school. The NAACP objected strongly to any further

construction at the black high school site and initiated another suit, Williams v. School Board of the City of Charlottesville, to halt the construction of such a junior high school. The School Board abandoned the plan to build any additions on the black high school site.

The School Board was influenced by the request of the NAACP to reopen the Allen case. The object of the NAACP was to have the court review the procedures used by the School Board for assignments, transfers, and promotions of teachers and staff. The School Board later acted to assign teachers and staff without regard for race of teachers, staff, or pupils.

The action of black parents of seventh graders seeking transfer from the black elementary school to the junior high school program was important. By reducing significantly the number of seventh graders who wished to attend the black elementary school, the black parents caused a major concern for the School Board. The School Board resolved the situation by abolishing the seventh grade in the black elementary school and, thus, incorporated all seventh graders in the City into the junior high school program.

The action of the School Board agreeing to comply with the Civil Rights Act of 1964 was significant. The School Board, by that action, announced that future school operations were to be administered in a racially non-discriminatory manner. Difficulty for the School Board was created

by this policy as evidenced by the protests of the Charlottesville Freedom Movement and the NAACP in 1965 as a result of the McGuffey School attendance area plan. The School Board refused to change the attendance areas on the basis of race because the Civil Rights pledge forbade such action.

The action of the black parents of pupils at the black elementary school seeking transfer of their children to other elementary schools in the City was significant. The transfer requests under the freedom-of-choice school attendance plan created pupil overcrowding in certain elementary schools and a drastic reduction in the pupil enrollment at the black elementary school. The School Board acted in the situation by closing the black elementary school and adopting City-wide elementary and junior high school attendance plans without racial distinction of the pupils in those areas.

The action of the City Council appointing a black representative to the School Board was significant. The black community was granted a voice in the policy decisions by the School Board, and the School Board was provided with the opinions of a black from the beginning when issues were discussed and decided later by the School Board.

ANALYSIS OF THE THIRD TIME PERIOD FROM SEPTEMBER 1, 1965 THROUGH MARCH 20, 1969

The process which led the Charlottesville School Board to adopt a desegregated elementary school attendance

area plan took place during the third time period and was discussed in Chapter Four. A record of events was recorded in the report of the third time period during which the School Board attempted to readjust the school system to new expectations which developed as a result of comprehensive school desegregation.

Input During the Third Time Period

The input that determined the beginning of the third time period was the action of the School Board closing the black elementary school and changing the elementary school attendance areas. The black elementary school was used to house the junior high school program. That action erased racially-identifiable schools operated solely by the Charlottesville School Board and was the cause of further interaction during the process of school desegregation in the City.

Interaction During the Third Time Period

The significant interaction which occurred during the third time period was activity among the School Board, various individuals, interest groups, and City Council. The interaction resulted in the final output defined in the study, that is, the adoption by the School Board on March 20, 1969 of desegregated elementary attendance areas.

The predominately-black Charlottesville Freedom Movement protested the plan of the School Board for McGuffey

School attendance area.⁵² The protest was rather vocal and aimed at the contention of the Charlottesville Freedom Movement that McGuffey School would have a black enrollment of ninety per cent. The NAACP was pressured to take action by threatened demonstrations by the Charlottesville Freedom Movement. The NAACP attorney met with the School Board attorney and was given information about the racial characteristics of all enrollments in the City schools.⁵³

The doors of McGuffey School were opened on the first day of school, September 7, 1965, to a predominately-black pupil enrollment. As predicted by the Charlottesville Freedom Movement, McGuffey School appeared to have an enrollment which was at least ninety per cent black. Black parents and the NAACP expressed their displeasure at the large percentage of black pupils at McGuffey School. A letter was delivered to the School Board from the NAACP in which the NAACP demanded that the School Board take immediate steps to correct the situation at McGuffey School.⁵⁴ The School Board declined to make any changes on the grounds that to do so would mean taking into consideration the race of the involved pupils. The members of the School Board thought that the

⁵²The Daily Progress, July 6, 1965, p. 13, col. 5.

⁵³The Daily Progress, September 8, 1965, p. 21, col. 6.

⁵⁴The Daily Progress, September 10, 1965, p. 1, col. 1.

School Board was restrained from such action by the Civil Rights Act of 1964 compliance agreement which the School Board had approved earlier.⁵⁵

The NAACP met on September 10, 1965 to hear its attorney give his opinion on the problem at McGuffey School. The position of the attorney was conciliatory toward the School Board. He stated that a large measure of desegregation had taken place in the public schools in Charlottesville, and that faculty desegregation had been implemented. He advised the audience that they had little to complain about so far as desegregation of the public schools in Charlottesville was concerned.⁵⁶ This interaction within the ranks of blacks and desegregation supporters ended public criticism of desegregation from them for the remainder of the school year.

The next interaction was created by the attempt of the School Board to rezone the black elementary school for use as a desegregated elementary school. The new attendance area for the black elementary school was gerrymandered so that it included a projected forty per cent white enrollment. On May 12, 1966, an overflow crowd of four hundred attended the School Board meeting at which the new attendance areas were to be discussed. Considerable pressure was placed

⁵⁵Charlottesville, Virginia School Board Minutes, September 9, 1965, p. 1.

⁵⁶The Daily Progress, September 11, 1965, p. 1, col. 5.

upon the School Board by those individuals at the meeting. The School Board decided to abandon the projected attendance areas when it became apparent that there was little support in the audience for the proposed attendance areas. A member of the audience suggested that the black elementary school be used to house all sixth graders in the City schools and that remaining elementary schools be used to house pupils in grades one through five.⁵⁷ The School Board deliberated on that suggestion and adopted such a plan on May 26, 1966.⁵⁸ The problem of desegregating the black elementary school was solved. The School Board was one step closer to a desegregated school system.

In the meantime, the School Board had to act on a severe personnel crisis. Numerous situations developed in which the Superintendent of Schools was involved. The conditions centered mostly on the actions of the Superintendent in school personnel matters.⁵⁹ After an investigation by a committee of the Virginia Education Association, the committee recommended on June 20, 1966 that the School Board replace the Superintendent because there were indications that the Superintendent was the prime factor in poor school

⁵⁷Charlottesville, Virginia School Board Minutes, May 12, 1966, pp. 5-6.

⁵⁸Charlottesville, Virginia School Board Minutes, May 26, 1966, p. 1.

⁵⁹The Daily Progress, May 24, 1966, p. 1, col. 5.

system morale and teacher unrest.⁶⁰ A few attempts were made to defend the Superintendent as a scapegoat for school desegregation, but no evidence was presented to prove this.⁶¹ On June 24, 1966, the School Board asked for the resignation of the Superintendent. He resigned on July 2, 1966 when the School Board agreed to pay him a settlement which was the equivalent of his salary for one year.

The School Board initiated action on July 14, 1966 to discontinue City participation in the black high school operated jointly by the City and County School Boards.⁶² On December 15, 1966, the School Board acted to request dismissal of two desegregation suits against the School Board. The School Board approved affidavits which explained that the objectives of the Williams and Allen suits were resolved or were about to be resolved by the School Board. Those objectives were discontinued operation of the black high school as a segregated facility, discontinued operation of the black

⁶⁰Virginia Education Association Board of Directors, "Report on the Findings and Recommendations of the Board of Directors of the Virginia Education Association Based Upon an Investigation Conducted by Its Professional Rights and Responsibilities Commission at the Request of a Majority of the Individual Members of the Charlottesville Education Association" (Richmond: Virginia Education Association, June 17, 1966), pp. 5-6. (Mimeographed.)

⁶¹The Daily Progress, June 24, 1966, p. 4, col. 4 and July 12, 1966, p. 4, col. 5.

⁶²Charlottesville, Virginia School Board Minutes, July 14, 1966, p. 7.

elementary school as a segregated facility, and desegregation of the public school faculty and staff.⁶³ The plaintiffs agreed on January 19, 1967 to the dismissal of the two suits if the School Board would reimburse the plaintiffs for attorneys' fees.⁶⁴ The School Board acted affirmatively on this matter and was informed on March 16, 1967 that the two cases had been dismissed.

On February 6, 1967, the School Board presented a proposal to build an elementary school in the Southwest section of the City. The elementary school in that section was seriously overcrowded. Nevertheless, the NAACP was highly critical of the School Board plan. It appeared to the NAACP that the school was being built for a black enrollment because of public housing developments proposed for black residential areas in that section. The School Board later was named a party to a suit brought against the Public Housing Authority by the NAACP to prevent the construction of the public housing developments.⁶⁵

During the spring of 1967, the School Board moved to relieve the racial imbalance that developed at Venable

⁶³Charlottesville, Virginia School Board Minutes, December 15, 1966, p. 4.

⁶⁴Charlottesville, Virginia School Board Minutes, January 19, 1967, p. 8.

⁶⁵Harris v. Charlottesville Redevelopment and the School Board of the City of Charlottesville, records on file in the office of the U. S. District Court, Western District of Virginia, Office of the Clerk, Charlottesville, Virginia.

Elementary School. The problem was brought to the attention of the Superintendent and the School Board by parents at the school. A higher percentage of black pupils was enrolled at that school than at any other school in the City. One school in the City had no black pupils enrolled in it.⁶⁶

During the summer of 1967, the Superintendent recommended certain additions to the instructional program which would improve the ability of the Venable School staff to deal with deprived and slow-learning pupils. The Superintendent also recommended that the School Board select a limited number of black pupils at Venable School who were thought to be deprived and transport those pupils to the Greenbrier Elementary School in which no black pupils were enrolled.⁶⁷ The School Board approved the plans of the Superintendent of Schools. Additional funds had to be appropriated to implement the plans because no provisions had been made in the recently adopted school budget for such contingencies.

The school administration interacted with the Community Action Organization. The CAO contributed the use of an old school bus to transport the selected pupils from the Venable School area to Greenbrier Elementary School. The

⁶⁶Charlottesville, Virginia School Board Minutes, April 20, 1967, p. 3.

⁶⁷Charlottesville, Virginia School Board Minutes, July 20, 1967, pp. 2-8.

CAO bus was used for only a few weeks. The use of the bus was discontinued for safety reasons.

The School Board was questioned sharply on September 21, 1967 by persons opposed to the busing plan.⁶⁸ Nevertheless, the School Board agreed to ask City Council for an additional appropriation for the busing plan. The School Board presented the request for additional appropriations to the City Council on September 25, 1967. The City Council rejected the request on October 5, 1967 and told the School Board to seek financial aid for the busing plan from the community.⁶⁹ Although one group of black social clubs volunteered to underwrite the cost of the busing plan for one month, no further aid was found for the plan. The black parents of the pupils who rode the bus to Greenbrier Elementary School agreed to pay what they were able to pay in order to keep the busing plan in operation.⁷⁰

The additional staff at Venable Elementary School was on duty at the beginning of the school year. The School Board approved on January 18, 1968 a request to ask City Council for an additional appropriation to pay the cost of

⁶⁸The Daily Progress, September 22, 1967, p. 17, col. 1.

⁶⁹Charlottesville, Virginia City Council Minutes, October 5, 1967, Minute Book K, pp. 455-457.

⁷⁰Charlottesville, Virginia School Board Minutes, December 21, 1967, p. 22.

that additional staff. After reprimanding the School Board for committing unappropriated funds, the City Council approved on February 19, 1968 the additional appropriations for staff positions at the school.⁷¹ On March 25, 1968, the School Board reaffirmed the past action on pupil transportation between school attendance areas and passed a resolution favoring transporting school pupils to relieve problems of racial imbalance that might develop in any City schools.⁷²

The School Board acted without hesitation when the plan of the Superintendent was approved to relieve Venable Elementary School of the problem of racial imbalance. Each school under the control of the School Board opened as a desegregated school during the fall of 1967.

The School Board acted to sever relationships with the black high school the City co-owned with Albemarle County. It was agreed by the City and County School Boards that the County would rent the City's portion of the building for \$10,000 for the 1967-68 school year. The County bought the City's interest in the building for \$700,000 on April 18, 1968 after the City Council placed the value on the building. The City thus divested itself of any interest in the formerly-

⁷¹Charlottesville, Virginia City Council Minutes, February 19, 1968, Minute Book K, p. 478.

⁷²Charlottesville, Virginia School Board Minutes, March 25, 1968, p. 1.

black high school.⁷³

The action of the School Board to end the participation of the City in the jointly-owned black high school produced a tense emotional climate at the formerly-white high school. During the month of March, 1968, numerous bomb threats were made against the high school. The threats ended only after the installation of telephone wire taps and the arrests of several alleged callers of bomb threats.⁷⁴ Reports of prejudicial treatment of black pupils by a few high school teachers were brought to the attention of the School Board on April 18, 1968. The School Board took no action on the information.⁷⁵ Approximately three weeks later, on May 13, 1968, about two hundred pupils, predominantly black, walked out of the high school "to keep peace" in the school and to dramatize a list of grievances.⁷⁶ The Superintendent met with many of the same pupils in the next few days and assured them that he would recommend certain changes at Lane High School for the consideration of the School Board.

⁷³Charlottesville, Virginia School Board Minutes, April 18, 1968, p. 24.

⁷⁴The Daily Progress, March 29, 1968, p. 17, col. 5.

⁷⁵Charlottesville, Virginia School Board Minutes, April 18, 1968, p. 16.

⁷⁶The Daily Progress, May 13, 1968, p. 1-B, col. 1.

The interaction of the pupils at Lane High School with the Superintendent produced certain recommendations to the School Board which were approved. Those changes included: the hiring of a black guidance counselor; the installation of a black studies course to be taught through the use of educational television; the provision of additional classroom space for the high school program; the expansion of the guidance services space; the hiring of instructional aides for the department chairmen; the hiring of a records clerk for guidance services; the expansion of the remedial speech program; and the addition of new instructional materials stressing black history.⁷⁷ In addition to the program improvements, the School Board appointed a new Principal on July 8, 1968 to direct the high school program.

The School Board debated the recommendations of the report of the Peabody College survey team for building two high schools. One point of contention in the discussion was whether or not racial balance could be maintained between two high schools. On July 31, 1967, the members of the School Board voted 4-to-2 to approve seeking permission from City Council to hold a bond referendum for funds to build two high schools. The school bond proposal failed to receive the support of a majority of the voters on April 22, 1969.

⁷⁷Charlottesville, Virginia School Board Minutes, June 20, 1968, p. 6.

One of many reasons given for the failure of the bond issue was the apathy of black voters toward the two-high-school plan.⁷⁸

The only black on the School Board announced his resignation from the School Board on June 22, 1968. The City Council appointed a black minister on June 24, 1968 to replace the retiring member.⁷⁹ The minister was active in trying to help reconcile differences between black high school pupils and the school administration.

The opening of schools for the 1968-69 school year produced continued unrest among certain high school pupils. A clash developed between police and some young blacks because of an incident at a high school dance during the first weekend in September. That incident sparked pent-up emotions on the part of blacks because a black girl had failed in her attempt to be elected to the cheerleading squad of the high school.⁸⁰ The high school became the target of fire-bombers on October 13, 1968.⁸¹ The School Board acted to defend the school building by hiring a night watchman for the school.⁸²

⁷⁸Editorial, The Daily Progress, April 23, 1969, p. 4, col. 1.

⁷⁹Charlottesville, Virginia City Council Minutes, June 24, 1968, Minute Book L, p. 4.

⁸⁰The Daily Progress, September 10, 1968, p. 17, col. 4.

⁸¹The Daily Progress, October 14, 1968, p. 11, col. 8.

⁸²Charlottesville, Virginia School Board Minutes, November 21, 1968, p. 8.

Further evidence of racial unrest was found when the School Board formally suspended four black pupils from the high school. One was suspended indefinitely for striking an Assistant Principal. The three remaining blacks were suspended for beating a white pupil.⁸³ The three blacks were readmitted to the school on January 16, 1969 because of a change of attitude.⁸⁴

In the meantime, seventy-five black pupils refused to go to their high school classes on November 5, 1968. They demanded a meeting with the Principal to discuss the harshness of the discipline applied to the four blacks who had been suspended from school. The Principal did not respond to such intimidation and ordered the pupils to go to their classes or go home. The pupils left the school for the day. The black pupils later stated that they wanted more black teachers on the high school faculty, expanded black history courses, and fairer treatment from white teachers.⁸⁵ The School Board supported the actions of the Principal and concurred with his recommendations on the suspended blacks as described above.

⁸³Charlottesville, Virginia School Board Minutes, November 21, 1968, p. 1.

⁸⁴Charlottesville, Virginia School Board Minutes, January 16, 1969, p. 1.

⁸⁵The Daily Progress, November 5, 1968, p. 11, col. 4.

One hundred white high school pupils met on the evening of November 6, 1968 at a shopping center parking lot. The result of the meeting was the appointment of five of the white pupils to meet with the Principal to discuss the concerns and suggestions of the group.⁸⁶

In the meantime, the City Council agreed to pay the expenses for operating an after-hours program at the unused gymnasias in the City schools. The School Board agreed to cooperate with City Council on the program. The necessary funds for the program were approved by City Council on November 18, 1968.⁸⁷ It was hoped that use of the gymnasias after school and on weekends would help channel some of the energy of the young people and serve to reduce some of the hostility that seemed to be present.

The School Board continued to work toward a desegregated school system. The School Board had difficulty earlier when it attempted to relieve the racial imbalance at one elementary school. The School Board did not receive support from the City Council for transporting black pupils from one school attendance area to another elementary school to relieve the problem of racial imbalance. The School Board ultimately relied on the parents of the black pupils to pay

⁸⁶The Daily Progress, November 7, 1968, p. 1-B, col. 1.

⁸⁷Charlottesville, Virginia City Council Minutes, November 18, 1968, Minute Book L, p. 32.

the cost of transportation of the pupils to Greenbrier Elementary School. This was done for two school years, during 1967-68 and 1968-69.

Output of the Third Time Period

It was apparent to the School Board that such an arrangement was temporary at best. Apparently, if school desegregation were to be successful, the burden could not be expected to be borne in just a few school attendance areas, but had to be placed equitably among all the school attendance areas under the control of the School Board. The School Board designed a school attendance area plan which offered a permanent plan for desegregation in all the elementary school attendance areas in the City. Such a plan was presented to the City Council on February 3, 1969.⁸⁸ The plan projected a different concept for school attendance area boundaries when compared to those used in the past. Greenbrier Elementary School was drawn to include a black residential area in the center of the City. Other elementary school attendance areas were drawn to include black residential areas, so that no school excluded black pupils. Transportation was provided to certain pupils who lived on the Southeastern side of the City who had to travel over an unsafe street to the new

⁸⁸Charlottesville, Virginia School Board Minutes, February 3, 1969, p. 1.

school on the Southwestern side of the City.⁸⁹ The School Board adopted the plan on March 20, 1969.⁹⁰

Responses During the Third Time Period

The responses of the individuals, institutions, and interest groups to the inputs examined in the report of the third time period varied. The Charlottesville Freedom Movement threatened demonstrations and marches to protest the new McGuffey School attendance area adopted by the School Board as a part of a City-wide elementary school attendance area plan during the school year of 1965-66. The NAACP previously had indicated satisfaction with the new attendance areas, but responded to the protests of the Charlottesville Freedom Movement by attempting to pressure the School Board into adapting the new elementary school attendance areas to satisfy the criticism of the McGuffey School attendance area. The protest against the new attendance area plan subsided after the NAACP legal staff advised the protesters that the School Board had acted within the bounds of the Constitution and that further legal action against the new attendance areas adopted by the School Board was fruitless.

The School Board attempted to rezone the formerly-black elementary school back into elementary operation for

⁸⁹Charlottesville, Virginia School Board Minutes, February 26, 1969, p. 1.

⁹⁰Charlottesville, Virginia School Board Minutes, March 20, 1969, p. 7.

the following school year, 1966-67. To accomplish this aim, it was necessary for the School Board to create an elementary attendance area that not only drew white pupils who attended a formerly-white elementary school much closer to their homes, but also placed those same white pupils in a school in which they were in the racial minority. Apparently, the School Board attempted to keep good faith with the Civil Rights pledge in which the School Board agreed to operate the schools on a non-discriminatory basis.

There was a great outcry from the parents of white pupils affected by the new elementary attendance area for the formerly-black elementary school, as well as from some others, at the School Board meeting. The outcome of the pressure was that the School Board abandoned the attendance area plan for the formerly-black elementary school. The School Board adopted a plan at the next meeting in which the formerly-black elementary school was converted to a school for all sixth-grade pupils in the City. This action permitted the School Board to keep faith with the Civil Rights pledge and to utilize badly needed classroom space.

The plaintiffs in the two cases pending before the U. S. District Court agreed to the dismissal of charges against the School Board. This response was produced by School Board action which discontinued the use of the black high school for City pupils and by further action which

assigned teaching personnel and other school staff members to positions in the school system on a non-discriminatory basis.

The NAACP responded to a School Board plan for building another elementary school in the Southwest section of the City. The NAACP filed a suit in which the School Board was named as one of the two parties. The aim of the suit was to halt construction of the school. The contention of the NAACP was that the new school would be used for black pupils who would be housed in public housing projects planned on the Southern side of the City. The charges against the School Board were later dismissed by the court.

The School Board responded to the demands of some white patrons at the Venable Elementary School. The patrons were concerned about the racial imbalance at the school and the effects of that racial imbalance on the quality of the instructional program offered there. The School Board response for the 1967-68 school year was to increase the size of the staff and add new staff positions to improve the instructional program at the school. The School Board responded further by adopting a busing program for certain black pupils from that school to the Greenbrier Elementary School which previously had no black enrollment.

The City Council responded to this interaction by refusing to appropriate surplus school funds to pay the cost

of the busing program of the School Board. For two years parents of the black pupils who were bused to Greenbrier Elementary School volunteered to pay what they were able to keep the program operating. The City Council agreed to appropriate surplus school funds to pay the cost of the instructional improvement program at Venable Elementary School.

Tensions developed among white and black pupils in the desegregated Lane High School. Those tensions continued to build until May 13, 1968 when a predominately-black group of two hundred high school pupils walked out of formerly-white Lane High School. Initially, the pupils announced that they walked out of the school because of feared violence. Later, they announced that further causes of their concern and protest were the shortcomings they thought existed at Lane High School.

The response of the Superintendent of Schools and the School Board was to initiate those programs to relieve the concern of the walk-out protest. The School Board initiated plans to implement those programs which were thought possible for the school year 1968-69.

Some black pupils at Lane High School exerted their feelings of "black pride" in the early part of the 1968-69 school year. In September, 1968, that exertion took certain destructive forms and created further tensions in the high school and in the City. The School Board responded to

administrative actions by the high school Principal by affirming support of suspensions of certain black high school pupils for hostile, physical acts against a white high school pupil and a white Assistant Principal.

The final response discussed in the report of the third time period was the action of the School Board to adopt desegregated school attendance areas for each elementary school. Apparently, the response of the School Board resulted from the position of the School Board that racial balance among the pupil enrollments at each school was desirable. A distribution of pupils according to race among each elementary school was not possible with the school attendance areas then in force, and the School Board probably did not expect black parents living in one elementary school attendance area to continue indefinitely to bear the cost of transporting their children to another school just to relieve the racial pressures on their area school. The School Board, thus, adopted an attendance area plan in which residential sections were drawn arbitrarily to include both white and black pupils.

Relationships During the Third Time Period

The pattern of relationships between the NAACP and the School Board remained the same. That is, the NAACP remained the antagonist of the School Board and continued to apply pressure to the political system. For example, the

NAACP attempted to have the School Board change the attendance areas when the predominantly-black Charlottesville Freedom Movement vehemently protested against the racial composition of the McGuffey School pupil enrollment. Legal action was considered by the NAACP until the legal staff of the NAACP advised that legal action was useless. The NAACP charged that the School Board attempted to build an elementary school for blacks when the School Board announced plans to build an elementary school in the Southwest section of the City. The NAACP relationship with the School Board, thus, remained at the level of implied legal action by the NAACP in the event School Board actions proved not to be acceptable to the NAACP.

The NAACP remained as the chief spokesman for the black citizens in school matters and other local issues. When the Charlottesville Freedom Movement protested against the McGuffey School attendance area and threatened demonstrations against the school, the NAACP moved to insert itself as the focus of the protest. The NAACP, thus, was able to maintain the position of leadership in the movement toward school desegregation in Charlottesville.

At the beginning of the third time period, the School Board moved toward a position favoring system-wide school desegregation. Decisions which brought about further school desegregation were made prior to actions of the court. Suits

which demanded further desegregation were withdrawn at the request of the plaintiffs because the School Board acted to resolve the complaints of the suits before the court fully heard the cases. The School Board acted to correct the situation of racial imbalance at one elementary school and initiated a position of assuring some measure of distribution of white and black pupils at each school in the City. The School Board found relationships with City Council somewhat strained, because the City Council, composed of elected officials, did not favor the action of the School Board for busing black pupils from one school attendance area to another school which previously had no blacks enrolled. The reluctance of City Council to cooperate with the School Board on the busing plan, plus the attempted suit by the NAACP against the public housing sites, which involved the School Board, probably served as additional motivation for the adoption of the desegregated elementary school attendance areas on March 20, 1969.

Decisions and Actions During the Third Time Period

There were several actions and decisions of significance which led the Charlottesville School Board to adopt desegregated elementary school attendance areas on March 20, 1969. The first of these was the protest against the McGuffey School attendance area by the Charlottesville Freedom Movement during August and September of 1965. This action caused

the NAACP to investigate the legal aspects of the situation and to discover that the School Board was in compliance with the law.

On May 12, 1966, a protest was made by whites against the School Board attendance plan for the formerly-black elementary school. The discontent with the attendance area plan by whites led the School Board to adopt another plan on May 26, 1966. That plan provided that the formerly-black elementary school would be utilized to house all sixth-grade pupils in the City and that all remaining elementary schools would be utilized to house first through fifth graders in the City.

Desegregation of the teaching staff and other personnel beginning with the 1966-67 school year was significant. The action of the School Board to discontinue participation in the jointly-owned black high school beginning with the 1967-68 school year also was significant in the process of school desegregation. Such actions, combined with the new use of the formerly-black elementary school, not only helped to secure the dismissal of pending court suits against the School Board, but also achieved the complete desegregation of the junior and senior high schools.

The action of the School Board to relieve the racial imbalance at Venable Elementary School beginning with the 1967-68 school year was significant. The action signalled

the realization by the School Board that dynamic action was required if all the schools were to remain desegregated.

The refusal of City Council to support the busing of black pupils from the Venable Elementary School attendance area to Greenbrier Elementary School was important. The lack of support from City Council, in this case, was an indication to the School Board that another way had to be found to adjust racial imbalance among the City schools. That realization led to the final action of significance which was discussed in the study, the adoption by the School Board of racially desegregated elementary school attendance areas for all schools on March 20, 1969.

RESEARCH ASSERTIONS PERTAINING TO THE PROCESS OF SCHOOL DESEGREGATION IN CHARLOTTESVILLE, VIRGINIA

The following research assertions are statements of presumed relationships based on evidence in the study. The statements appear to identify the most important issues that were uncovered in the study, such as influences on the decisions of the School Board from sources other than the School Board.

Assertion No. 1. External influences were crucial to the process of school desegregation in Charlottesville.

The process of school desegregation in Charlottesville was initiated by black parents and the NAACP. The process continuously was forced on the School Board in the

suits, Allen v. School Board, Dodson v. School Board, Dillard v. School Board, Williams v. School Board (dismissed), and the reopening of Allen v. School Board (dismissed).

The Civil Rights Act of 1964 was crucial to the process of school desegregation. The School Board agreed to comply with the terms of the Civil Rights Act which pertained to school desegregation, and this led to the abandonment of the black elementary school.

The pressure of white parents aided the process of school desegregation in two instances. The first occurred when white parents strongly objected to having their residences included in a proposed elementary school attendance area for the formerly-black elementary school. The pressure placed on the School Board by the parents ultimately led to the adoption of the sixth-grade program for all City pupils at the formerly-black elementary school. The second instance of pressure by white parents aiding the process of school desegregation resulted in the "Venable Model School" program. In this instance, some white parents at Venable Elementary School expressed their concern about the problem of racial imbalance at the school. The School Board adopted an instructional improvement program for the school, in addition to a busing program which desegregated Greenbrier Elementary School.

The School Board was influenced to develop desegregated elementary school attendance areas when the opening of

a new school was planned. That decision was influenced, apparently, by the desire of the School Board to maintain racially balanced schools and to avoid further difficulties such as that forced on the School Board by the former problem of racial imbalance at Venable Elementary School and the problems associated with the Harris v. Charlottesville Re-development case.

The negative role of external influences in the process of school desegregation in Charlottesville also was apparent. The political influence at the State level was significant, especially during the first time period of the study. The Governor initially took measures that seemed designed toward a moderate course of action.

It appeared, however, that the General Assembly of Virginia, dominated by representatives from Southside Virginia, took charge of the situation and enacted massive resistance. Massive resistance, with the action of the Governor, took the decision-making power away from all local School Boards in Virginia. The Charlottesville School Board was unable to follow effectively court orders to desegregate schools until after massive resistance was declared unconstitutional by the Virginia Supreme Court of Appeals. After that time, State politicians became noticeably silent about school desegregation.

Other negative external influences in the process of school desegregation included the many activities of the

Defenders of State Sovereignty and Individual Liberties. It was active from the beginning of the process of desegregation until the public schools were first desegregated in Charlottesville. The inept attempts of the Seaboard White Citizens' Council to organize low-income whites against school desegregation was another negative external influence. Still another was the organization of the Charlottesville Education Foundation. By its existence, the CEF drained off many white pupils who otherwise would have attended desegregated schools in the City.

Assertion No. 2. The behavior of decision makers in Charlottesville toward the process of school desegregation was consistent during most of the time periods of the study.

The decision makers in Charlottesville were: the School Board; the Superintendent of Schools as agent for the School Board; the City Council; and the federal courts. The School Board appeared to accept a responsive role to the demands for desegregation. It appeared that there were no drastic changes from this role, even after a black was appointed to the School Board.

There were three Superintendents of Schools during the period of the study. Each of the Superintendents appeared to have accepted a responsive role in the process of school desegregation.

The City Council appeared to resist plans for school desegregation. It appeared that legal defense against the

suits of the NAACP was encouraged, in part, by the City Council. The City Council continued to indicate resistance to the concept of school desegregation and racial balance, at least ten years after the Allen decision, when the City Council refused to cooperate with the School Board in the busing plan from the Venable Elementary School attendance area to the Greenbrier Elementary School.

The three local decision makers appeared to have a common objective as they made decisions. The local decision makers were intent that the school system should operate smoothly. None of the local decision makers appeared to be inclined to "rock the boat" while desegregating the schools, if that prospect could be avoided.

Federal court decisions appeared to be the chief cause for initial school desegregation in Charlottesville. Although the suits to bring desegregation were initiated by the NAACP, desegregation was begun because of the orders of federal judges to the Charlottesville School Board. The courts consistently ruled in favor of the plaintiffs, decisions were appealed, or new cases were initiated until the thinking of the courts was refined.

Assertion No. 3. Charlottesville was forced into the limelight as one of the first cities in Virginia to desegregate schools.

It appeared that most whites in Charlottesville would have been content to maintain segregated schools. Charlottesville-

ville was one of the first cities to be sued by the NAACP to desegregate schools. As a result, events pertaining to school desegregation in Charlottesville probably were followed with interest elsewhere in the State. School desegregation in Charlottesville proceeded faster than in most communities in the State through no choice of most whites in the City. Most whites, thus, took no particular pride in the fact that Charlottesville was in the forefront of school desegregation in Virginia. Only through the efforts of the NAACP was the process of school desegregation initiated.

Assertion No. 4. The Charlottesville School Board gradually assumed responsibility for school desegregation after all legal measures to resist it were exhausted.

It appeared that the Dillard case was a landmark decision for the School Board. The school attendance area plan including the operation of a black school was abandoned as a result of the Dillard case. A freedom-of-choice plan was adopted. Later, the School Board adopted a policy of compliance with the Civil Rights Act of 1964, closed the black elementary school, and desegregated the seventh grade in the new junior high school program. The School Board later reopened the formerly-black elementary school as a sixth-grade school for all City pupils and desegregated the City school staff. Those actions by the School Board were followed by the withdrawal of all City pupils from the joint

City-County black high school, and the adoption of a busing program to achieve a measure of racial balance among the City elementary schools. The School Board finally adopted a desegregated elementary attendance area plan.

Assertion No. 5. The School Board acted to maintain a desegregated school system when it appeared that one desegregated school might become resegregated.

It appeared that the School Board became concerned about the percentages of white and black pupils at Venable Elementary School. The reason for the concern was that white parents were troubled about the effect of the large percentage of black pupils from low-income families. The object of concern was the quality of the instructional program at the school. The School Board apparently reasoned that action had to be taken or many white families would either move from the Venable Elementary School attendance area or utilize private schools nearby. If a pull-out started on the part of some white families, apparently more would follow. The School Board, thus, adopted a program recommended for Venable Elementary School by the Superintendent of Schools which included certain improvements to the instructional program and, significantly, busing numbers of black pupils from the Venable attendance area to Greenbrier Elementary School which previously had no black pupils.

Assertion No. 6. The creation of the Charlottesville Education Foundation diverted the feelings of segregationists

against school desegregation and permitted desegregation to begin peacefully in Charlottesville.

The efforts of the Defenders of State Sovereignty and Individual Liberties and others who favored the maintenance of segregated public schools turned to the formation of the Charlottesville Education Foundation. The Defenders had spent considerable time and energy propagandizing, petitioning, lobbying in the Virginia General Assembly, and holding rallies for segregated public schools. Much thought and emotion had been stirred by such efforts. When it became apparent that public schools were to be desegregated, the Defenders worked with private citizens to tap the energy and the emotions of segregationists to found the CEF which built a private, white elementary school and high school. It appeared that segregationists were left with a choice of desegregated public schools or private white schools. Tuition-grants from public funds were available if the parents chose to send their children to private schools.

Assertion No. 7. Violence in Charlottesville probably was averted by the strong statement issued by Mayor Thomas J. Michie, Sr. on September 2, 1958.

Prior to the desegregation of Venable Elementary School and Lane High School, there had been much emotional agitation against the concept of school desegregation. That agitation had been raised by the Defenders and the Seaboard

White Citizens' Council. There had been instances of cross burnings on property of whites known to support desegregation efforts. The Human Relations Council attempted to influence City Council to adopt a statement opposed to acts of violence, stating that such statements had decided deterrent effect on those inclined to violence. The City Council declined to make such a statement because it stated that the City had an efficient police department capable of keeping the peace. Some months later, Mayor Michie presented his statement to the City Council. He made it clear that law-breakers, or others inclined to violence, would be apprehended and prosecuted if they broke the law. The statement of the Mayor also included a strong, positive comment that the citizens of the City should respect the courts and their orders, and that City Council was determined to preserve a system of public schools in the City.

Mayor Michie played an interesting role in the study. He was in a decision-making position in City government during the initial throes of desegregation in Charlottesville. While serving on City Council, Michie was appointed to a federal judgeship. He heard the last of the desegregation cases against the Charlottesville School Board and dismissed both cases at the request of the plaintiffs.

Assertion No. 8. The organization of the Parents' Committee for Emergency Schooling indicated that there was

strong support for continued public education in Charlottesville during the school closing crisis during the fall and winter of 1958 and aided the process of school desegregation.

When the Parents' Committee organized to operate school classes in private homes, the Committee indicated that it supported the public schools whether they were segregated or desegregated. The Parents' Committee proved to be a significant influence in frustrating some of the objectives of the Charlottesville Education Foundation. When the two groups arrived at a stalemate on the emergency high school program, a Joint Committee was formed between the two groups and a compromise emergency high school program was operated. When the School Board announced the reopening of Venable Elementary School and Lane High School, the Parents' Committee led the way back to the schools. The following year, when tuition-grant private schools were organized and operated in earnest by CEF, the Parents' Committee mustered support for the public schools and, thus, aided the process of school desegregation.

Assertion No. 9. The faculty of Lane High School played a significant role in the maintenance of public education in Charlottesville by insisting that the Lane faculty control the emergency high school program during the school closing crisis of the fall and winter of 1958 and by refusing to join the CEF high school staff during the 1959-60 school year.

The faculty of Lane High School had developed considerable respect among the City school patrons and pupils. The emergency school program received the necessary acceptance of the City when the Lane faculty agreed not only to teach in it, but insisted on control of the program. By remaining with the public schools, the Lane faculty indicated its dedication to the City public schools and the high school pupils. Many pupils who may have gone with their teachers to the CEF high school remained at Lane High School as a result.

Assertion No. 10. White and black teachers and staff probably were ill-prepared for the task of total desegregation when it was approved by the School Board.

The School Board did little or nothing to prepare teachers and staff for the consequences of total school desegregation until after the walkout of black pupils at the formerly-white high school. There was evidence of federal funds being made available for in-service education of teachers and staff for school desegregation during 1965. There was, however, no evidence that these funds were utilized to any great extent. That teachers and staff were ill-prepared for total school desegregation became apparent during the spring of 1968 at the formerly-white high school. Complaints by blacks to the black School Board member gave evidence to the problem which was cited as "some teachers who show

prejudice." Significant changes took place in the high school program only after the black-pupil walkout on May 13, 1968.

Assertion No. 11. Black pupils at the formerly-white high school became disillusioned with the desegregated high school program after the black high school was closed.

It appeared that few preparations were made at the formerly-white high school for the large number of black pupils who were transferred from the closed black high school to the formerly-white high school. Apparently, the concept of integrating class officers or student government officers from the black high school into comparable co-positions at the formerly-white high school was not considered. No public notice was made of any orientation for the black pupils who were transferred from the closed black high school to the formerly-white high school. No public notice was made of any orientation for white pupils who were to receive the black pupils as classmates at the formerly-white high school.

Black pupils apparently became disillusioned at the formerly-white high school. It appeared that the black high school pupils were thrust into a new, probably unwanted, situation. They found themselves surrounded by many strange, white faces. The black pupils probably thought they were without certain classes and teachers they thought necessary to their educational well-being. In addition to these conditions, racial discord, hate, and violence as presented by the

spokesman for the Student Non-violent Coordinating Committee on April 22, 1968 probably had some influence on black pupils. It was apparent that unrest among the black high school pupils was inevitable as a consequence of these circumstances.

Assertion No. 12. There probably was some cultural shock for both whites and blacks who were involved in the process of school desegregation in Charlottesville.

The demands of white parents at Venable Elementary School for certain changes in the school appeared to be the result of cultural shock. The parents feared that the instructional program would be weakened by the presence of many black pupils from low-income families. The cultural differences between the middle-income white families and low-income black families were, perhaps, as great a concern of the white parents as the effect on the quality of the educational program.

The black high school pupils found the formerly-white high school different from the closed black high school. The presence of some militant black pupils in the hallways and classrooms apparently was a form of black protest to the strangeness of the new school situation. The pupil walkout on May 13, 1968 was a protest against the alienation many black pupils apparently experienced at the formerly-white high school.

The white high school pupils also found new conditions at the formerly-white school when they returned in

September, 1967. It appeared that white pupils were concerned about the threatening presence of some militant black pupils. Apparently, that concern, along with concerns about discipline in the high school, led to the meeting at the shopping center of some white high school pupils and parents on the evening of November 6, 1968.

It appeared, however, that there were efforts on the parts of white and black pupils to resolve their differences. The panel discussion at the junior high school on October 23, 1968 among white and black pupils of the formerly-white high school, sponsored by the Youth Council of the City Recreation Department, apparently was an attempt to resolve differences between whites and blacks. The meeting of white and black pupils on January 17, 1969, sponsored by the Mayor's bi-racial committee, was an attempt to achieve an understanding of the differences that existed between whites and blacks.

CONCLUSION

A great amount of time, thought, planning, and emotion was spent on the process of school desegregation in Charlottesville during the period of time covered by this study. It appeared that the process of desegregation in all schools operated by the City was accomplished. The next problem to be treated by the School Board was the integration of the same schools. Integration, however, was a

condition to be achieved only in the hearts and minds of all those involved in the process of desegregation. One teacher who was involved in the act of desegregating a Southern high school wrote about integration and school pupils in the following manner:

Integration begins to become a reality through the very fact that the children are mutually involved in attaining an education and are in daily association with each other. . . . The contact provides them an opportunity to measure and sift their experiences with each other. . . .⁹¹

Thus, integration was achieved when, through mutual experience, white and black pupils learned to respect the equality of one another as human beings. Wirt suggested another consideration when he wrote the following:

One man's definition of freedom of association as limited to his kind counters another man's definition as freedom to associate with other kinds. Yet we can hope that underlying such conflict of value is a standard of decency of treatment of all people, a standard to which humane, intelligent, and reasonable men and women may rally.⁹²

⁹¹Margaret Anderson, The Children of the South (New York: Delta Books, 1967), p. 103.

⁹²Frederick M. Wirt, "The Politics of Education," School Desegregation in the North, ed. T. B. Edwards and F. M. Wirt (San Francisco: Chandler Publishing Company, 1967), pp. 328-329.

BIBLIOGRAPHY

A. BOOKS

- American Friends Service Committee, and others. The Status of School Desegregation in the South, 1970. Washington, D. C.: The American Friends Service Committee, and others, 1971.
- Anderson, Margaret. The Children of the South. New York: Delta Books, 1967.
- Arensberg, Conrad M., and Arthur H. Niehoff. Introducing Social Change. Chicago: Aldine Publishing Company, 1964.
- Bartley, Numan V. The Rise of Massive Resistance in the South During the 1950's. Baton Rouge: Louisiana State University Press, 1969.
- Bash, James H. Effective Teaching In The Desegregated School. Bloomington: Phi Delta Kappa, 1966.
- Bash, James H., and Thomas J. Morris. Planning and Implementing In-service Education Programs In Desegregated Schools. Bloomington: Phi Delta Kappa, 1967.
- Bettelheim, Bruno, and Morris Janowitz. Social Change and Prejudice. New York: The Free Press of Glencoe, 1964.
- Bouma, Donald H., and James Hoffman. The Dynamics of School Integration. Grand Rapids: William B. Eerdmans Publishing Company, 1968.
- Campbell, Ernest Q., Charles E. Bowerman, and Daniel O. Price. When A City Closes Its Schools. Chapel Hill: The University of North Carolina Press, 1960.
- Chesler, Mark A. In Their Own Words. Atlanta: Southern Regional Council, 1967.
- Clark, Kenneth B. (ed.). Racism and American Education. New York: Harper and Row, Publishers, 1970.

- Coleman, James S., and others. Equality of Educational Opportunity. Washington, D. C.: Government Printing Office, 1966.
- Crain, Robert L. The Politics of School Desegregation. Chicago: Aldine Publishing Company, 1968.
- Damerall, Reginald G. Triumph in a White Suburb. New York: William Morrow & Company, Inc., 1968.
- Division of Surveys and Field Services. Charlottesville, Virginia Public Schools, A Survey Report. Nashville: George Peabody College for Teachers, 1967.
- Easton, David. A Framework for Political Analysis. Englewood Cliffs: Prentice-Hall, Inc., 1965.
- Easton, David (ed.). Varieties of Political Theory. Englewood Cliffs: Prentice-Hall, Inc., 1966.
- Edwards, Newton. The Courts and the Public Schools. Chicago: The University of Chicago Press, 1955.
- Edwards, T. Bentley, and Frederick M. Wirt (eds.). School Desegregation In the North. San Francisco: Chandler Publishing Company, 1967.
- Gaston, Paul M. The New South Creed. New York: Alfred A. Knopf, 1970.
- Gates, Robbin L. The Making of Massive Resistance. Chapel Hill: The University of North Carolina Press, 1964.
- Gillner, Ernest. Thought and Change. London: Weidenfeld and Nicolson, 1964.
- Gittell, Marilyn, and T. Edward Hollander. Six Urban School Districts. New York: Frederick A. Praeger, Publishers, 1968.
- Goldhammer, Keith, and Roland J. Pellegrin. Jackson County Revisited. Eugene: University of Oregon, 1968.
- Goldwin, Robert A., and Dan Shoemaker. The Case of the Lively Ghost. Chicago: American Foundation For Continuing Education, 1960.
- Good, Carter V., and Douglas E. Scates. Methods of Research. New York: Appleton-Century-Crofts, Inc., 1954.

- Green, Robert L. (ed.). Racial Crisis in American Education. Chicago: Follett Educational Corporation, 1969.
- Hansen, Carl F. Danger in Washington. West Nyack: Parker Publishing Company, Inc., 1968.
- Harris, Seymour E., and Allan Levensohn (eds.). Education and Public Policy. Berkeley: McCutchan Publishing Corp., 1965.
- Hartz, Louis. The Founding of New Societies. New York: Harcourt, Brace and World, Inc., 1964.
- Havighurst, Robert J. (ed.). Metropolitanism: Its Challenge To Education. Chicago: National Society for the Study of Education, 1968.
- Havighurst, Robert J., Bernice L. Neugarten, and Jacqueline M. Falk (eds.). Society and Education. Boston: Allyn and Bacon, Inc., 1967.
- Hill, Roscoe, and Malcolm Feeley. Affirmative School Integration. Beverly Hills: Sage Publications, 1968.
- Humphrey, Hubert H. (ed.). Integration Vs Segregation. New York: Thomas Y. Crowell Company, 1964.
- Iannaccone, Laurence, and Frank W. Lutz. Politics, Power and Policy, The Governing of Local School Districts. Columbus: Charles E. Merrill Publishing Company, 1970.
- Keppel, Francis. The Necessary Revolution in American Education. New York: Harper & Row, Publishers, 1966.
- Kimbrough, Ralph B. Political Power and Educational Decision-Making. Chicago: Rand McNally & Company, 1964.
- Kirst, Michael W. The Politics of Education at the Local, State and Federal Levels. Berkeley: McCutchan Publishing Corporation, 1970.
- Knapp, Robert B. Social Integration In Urban Communities. New York: Teachers College, Columbia University, 1960.
- Landes, Ruth. Culture in American Education. New York: John Wiley & Sons, Inc., 1965.

- Levine, Daniel U., and Russell C. Dell. Inner-City Schools and The Beginning Teacher. Bloomington: Phi Delta Kappa, 1966.
- Mack, Raymond W. (ed.). Our Children's Burden. New York: Random House, 1968.
- Mann, John. Changing Human Behavior. New York: Charles Scribner's Sons, 1965.
- Marcus, Sheldon, and Harry N. Rivlin (eds.). Conflicts in Urban Education. New York: Basic Books, Inc., Publishers, 1970.
- Marland, J. Kenneth. Token Desegregation and Beyond. Atlanta: Southern Regional Council, 1963.
- Mayhew, Leon H. Law and Equal Opportunity. Cambridge: Harvard University Press, 1968.
- McLeish, John. The Theory of Social Change. London: Routledge and Kegan Paul, 1969.
- Mehrabian, Albert. Tactics of Social Influence. Englewood Cliffs: Prentice-Hall, Inc., 1970.
- Miles, Matthew B., and W. W. Charters, Jr. (eds.). Learning in Social Settings. Boston: Allyn and Bacon, Inc., 1970.
- Miller, Francis P. Man From The Valley; Memoirs Of A 20th Century Virginian. Chapel Hill: University of North Carolina Press, 1971.
- Muse, Benjamin. Virginia's Massive Resistance. Bloomington: Indiana University Press, 1961.
- Neal, Sister Marie Augusta. Values and Interests in Social Change. Englewood Cliffs: Prentice-Hall, Inc., 1965.
- Noar, Gertrude. Prejudice and Discrimination. New York: Anti-Defamation League of B'NAI B'RITH, 1967.
- Orfield, Gary. The Reconstruction of Southern Education. New York: John Wiley and Sons, 1969.
- Owens, Robert G. Organizational Behavior In Schools. Englewood Cliffs: Prentice-Hall, Inc., 1970.

- Peltason, J. W. Fifty-Eight Lonely Men. New York: Harcourt, Brace & World, Inc., 1961.
- Ribich, Thomas I. Education and Poverty. Washington, D. C.: The Brookings Institute, 1968.
- Roberts, Joan I. Scene of the Battle. Garden City: Doubleday and Company, Inc., 1970.
- Seminar on Education for Culturally Different Youth. Education of the Deprived and Segregated. Cooperative Research Project No. G-021. New York: Bank Street College of Education, 1963.
- Smith, Bob. They Closed Their Schools. Chapel Hill: The University of North Carolina Press, 1965.
- Southern Education Reporting Service. A Statistical Summary, State By State, of School Segregation-Desegregation in the Southern and Border Area From 1954 to the Present. Nashville: Southern Education Reporting Service, December, 1965.
- Speer, Hugh W. A Historical and Social Perspective on Brown v. Board of Education of Topeka With Present and Future Implications. Final Report. Kansas City: University of Missouri, 1968.
- Stoff, Sheldon. The Two-Way Street: Guideposts to Peaceful School Desegregation. Indianapolis: David-Stewart Publishing Company, 1967.
- Suchman, Edward A., John P. Dean, and Robert M. Williams, Jr. Desegregation: Some Propositions and Research Suggestions. New York: Anti-Defamation League of B'NAI B'RITH, 1958.
- Swanson, Bert E. School Integration Controversies in New York City: A Pilot Study. Bronxville: Sarah Lawrence College, 1965.
- U. S. Commission on Civil Rights. Process of Change: The Story of School Desegregation in Syracuse, New York. U. S. Commission on Civil Rights Clearinghouse Publication No. 12. Washington: Government Printing Office, 1968.
- U. S. Commission on Civil Rights. Schools Can Be Desegregated. Washington, D. C.: Government Printing Office, 1967.

U. S. Commission on Civil Rights. Southern School Desegregation, 1966-67. Washington, D. C.: U. S. Commission on Civil Rights, 1967.

Weinberg, Meyer. Desegregation Research: An Appraisal. Bloomington: Phi Delta Kappa, 1970.

Weinstein, Fred, and Gerald M. Platt. The Wish to Be Free. Berkeley: University of California Press, 1969.

Wilkinson, J. Harvie, III. Harry Byrd and the Changing Face of Virginia's Politics, 1945-1966. Charlottesville: The University Press of Virginia, 1968.

Wise, Arthur E. Rich Schools, Poor Schools. Chicago: University of Chicago Press, 1968.

B. COURT RECORDS

Allen v. School Board of the City of Charlottesville, 353 U. S. 910, 775 S. Ct. 667 (1957).

Allen v. School Board of the City of Charlottesville, Virginia, 203 F. Supp. 225 (1961).

Brown v. Board of Education of Topeka, 347 U. S., 74, S. Ct. 686 (1954).

Brown v. Board of Education of Topeka, Kansas, 75 S. Ct. 753 (1955).

Dillard v. School Board of the City of Charlottesville, Virginia, 308 F. 2d 920 (1962).

Dodson v. School Board of the City of Charlottesville, 289 F. 2d 439 (1961).

Goss v. Board of Education of the City of Knoxville, Tennessee, 373 U. S. 683, 83 S. Ct. 1405 (1963).

Griffin v. State Board of Education, 239 F. Supp. 560 (1965).

Griffin v. State Board of Education, 296 F. Supp. 1178 (1969).

Harris v. Charlottesville Redevelopment and the School Board of the City of Charlottesville. Records on file in the office of the U. S. District Court, Western District of Virginia, Office of the Clerk, Charlottesville, Virginia.

Harrison v. Day, 200 Va. 439 (1959).

James v. Almond, 170 F. Supp. 331 (1959).

Plessey v. Ferguson, 163 U. S. 537 (1896).

Roberts v. City of Boston, 59 Mass. 198 (1849).

School Board of the City of Charlottesville v. Allen, 240 F. 2d 59 (1956).

School Board of the City of Charlottesville v. Allen, 263 F. 2d 295 (1959).

School Board of Charlottesville, Virginia v. Dillard, 374 U. S. 827, 83 S. Ct. 1864 (1963).

School Board of the City of Newport News, Virginia v. Atkins, 246 F. 2d 325 (1957).

C. LETTERS, MINUTES AND STATUTES

Charlottesville, Virginia City Council Minutes from November 1, 1954 through November 11, 1968.

Charlottesville, Virginia School Board Minutes from June 10, 1954 through September 18, 1969.

Letter addressed to Chester R. Babcock, Chairman, Charlottesville School Board, from Mrs. Thelma T. Townsend, President, NAACP, dated December 1, 1964.

Letter addressed to the Charlottesville School Board from Drewary Brown, President, NAACP, dated February 11, 1965.

Letter addressed to Edith H. Rudy, Chairman, Charlottesville School Board from Albert M. Tyree, Chairman, Charlottesville Freedom Movement, dated August 25, 1965.

Letter addressed to School Board, Charlottesville, Virginia, from Drewary Brown, President, NAACP, dated September 8, 1965.

Letter addressed to Drewary Brown, President, NAACP, Charlottesville, Virginia, from Edith H. Rudy, Chairman, Charlottesville School Board, dated September 9, 1965.

Senate Document No. 1. Extra Session 1955, General Assembly of Virginia.

United States. The Constitution of the United States, Amendment 14, Section 1.

D. NEWSPAPERS AND PERIODICALS

Campbell, Alan K. "Who Governs The Schools," Saturday Review December 21, 1968, pp. 50-52, 63.

Charlottesville, Virginia The Daily Progress. Selected issues from April 17, 1954 through March 21, 1969.

Havighurst, Robert J. "Schools Face New Desegregation Phase," Nations Schools, March, 1966, pp. 80-82.

Kirst, Michael W., and Edith K. Mosher. "Politics of Education," Review of Educational Research, December, 1969, pp. 629-630.

Orfield, Gary. "Politics of Resegregation," Saturday Review, September 20, 1969, pp. 58-60.

Redfern, George B. "Court Decisions: The School Administrator's Dilemma," Educational Leadership, December, 1968, pp. 232-234.

Richmond, Virginia Richmond Times Dispatch, September 5, 1956.

Richmond, Virginia The Richmond News Leader, May 17, 1954, and June 26, 1954.

Southern Education Report, June 1969 (Final issue).

Sullivan, Neil V. "Should Administrators Seek Racial Balance In The Schools," Phi Delta Kappan, March 1968, pp. 378-80.

E. UNPUBLISHED WORKS

Bowles, B. Dean. "Policy: Theoretical and Research Implications." Paper read at the American Educational Research Association Convention, February, 1968, Chicago, Illinois.

Charlottesville, Virginia School Board News Release. June 9, 1962. (Mimeographed.)

- Committee (A Report of) Appointed by the State Superintendent of Public Instruction to Survey the High School Buildings and to Recommend a Building Program to the Officials of Charlottesville. "The High School Building Needs of Charlottesville." Charlottesville: School Board of City of Charlottesville, April, 1962. (Mimeographed.)
- Corwin, Ronald D. "School Desegregation in Syracuse: A Study in Community Decision-Making." Unpublished Doctor's dissertation, Syracuse University, 1968.
- Daily Classroom Register, Academy, Charlottesville Public Schools, Spring 1959.
- DeBerry, Clyde E. "A Study of Attitudes Toward Equal Educational Opportunities and of Community Decision-Making." Unpublished Doctor's dissertation, University of Oregon, 1967.
- Gaston, Paul M., and Thomas T. Hammond. "Public School Desegregation: Charlottesville, Virginia, 1955-62." A report presented to the Nashville Conference on "The South: The Ethical Demands of Integration," a consultation sponsored by the Southern Regional Council and the Fellowship of Southern Churchmen, 1962. (Mimeographed.)
- Huie, Henry M. "Factors Influencing the Desegregation Process in the Atlanta School System, 1954-1967." Unpublished Doctor's dissertation, University of Georgia, 1967.
- Hutton, Artley O. "What the People of Charlottesville, Virginia Think of Their Schools." Vols. I and II. Unpublished Doctor's dissertation, University of Virginia, 1956.
- Lutz, Marie E. "A Study of Junior High School Transferees Resulting From Boundary Changes Involved in Improving Racial Balance." Unpublished Doctor's dissertation, Syracuse University, 1966.
- Mosher, Edith K. "A Study of Decision Making for the Allocation of Federal School Aid in Virginia." Prepared as part of a six-state study coordinated by Michael Kirst for the Syracuse University Research Corporation--Ford Foundation Research Grant #690-0506, Revised draft, February, 1971.

Sartain, James A. "Attitudes of Parents and Children Towards Desegregation." Unpublished Doctor's dissertation, Vanderbilt University, 1966.

Thompson, Lorin. "Some Economic Aspects of Virginia's Current Educational Crisis." Charlottesville: Bureau of Economic and Population Research, 1958. (Mimeographed.)

Virginia Education Association Board of Directors. "Report of the Findings and Recommendations of the Board of Directors of the Virginia Education Association Based Upon an Investigation Conducted by its Professional Rights and Responsibilities Commission at the request of a Majority of the Individual Members of the Charlottesville Education Association." Richmond: Virginia Education Association, June 17, 1966. (Mimeographed.)

Wiley, Alfred D. "A Study of Desegregation in the Evansville School Corporation, Evansville, Indiana." Unpublished Doctor's dissertation, Indiana University, 1961.