A PSYCHOLOGIST LOOKS AT BUSING IN THE DESEGREGATION OF PUBLIC SCHOOLS

A graduate project submitted in partial satisfaction of the requirements for the degree of Master of Arts in Education, Department of Educational Psychology

by

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ABSTRACT

A PSYCHOLOGIST LOOKS AT BUSING IN THE DESEGREGATION OF PUBLIC SCHOOLS

by

June Walton Cheresh

Master of Arts in Educational Psychology

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Analyzes critically the various psychological, social, legal, and political aspects of the busing controversy. An attempt is made to gain an overview and understanding of the impact busing has had on public education in the United States. This study was made by reviewing and analyzing the literature and research studies on busing.

Pupil transportation has long played a major role in the education of American children. It was the direct outgrowth of the movement toward school consolidation. It offered better education to children who would have been deprived of such opportunities. It is only in the context of school desegregation that busing has become an issue of emotion and controversy.

In a review of the legal and political aspects of busing it was noted that the Supreme Court decision in Brown v. Board of Education in 1954 set the stage for busing as a tool for desegregating
schools. Numerous other court decisions have reinforced the findings in the Brown case. The use of busing has sometimes been deemed necessary to implement these decisions. Busing has become a political issue, with government officials on both sides of the political spectrum becoming immersed in the battle.

In reviewing the research on desegregation and busing, several communities have been compared with Berkeley, California and Kalamazoo, Michigan studied in detail. Berkeley, with strong school leadership, succeeded in drawing up a workable plan of busing for integration, while Kalamazoo did not foresee the need for change of old segregation patterns in their schools until forced to do so by pressures from the black community and orders from the courts.

It was noted in the discussion of the psychological implications of busing that a pattern of fears and myths had become fixed in the public's mind. Many social scientists refuted these fears and gave evidence that both majority and minority pupils made achievement gains in integrated schools, and that white pupils' achievement did not suffer when they were transported to a black school. Often it is white parents' attitude of racial superiority which made desegregation difficult.

A psychiatrist who studied the problem of busing intensively stated that he never saw children become either sick or emotionally disturbed because they were bused; that the experience of busing was physically, psychologically, and educationally neutral.

Strong leadership in education, politics, law, and the social sciences is needed if this problem of busing is to be solved constructively.
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A PSYCHOLOGIST LOOKS AT BUSING IN THE
DESEGREGATION OF PUBLIC SCHOOLS

Chapter 1

INTRODUCTION

Statement of the Problem

The problem of this study was to analyze critically the
various psychological, social, legal, and political aspects of the
school busing controversy. The writer’s purpose for this study was
to gain an overview and understanding of the impact busing has had on
American public education.

Importance of the Study

As racial tensions and isolation in the United States increase,
it is important for educators to become knowledgeable concerning
ways of alleviating such tensions. Busing is one of several means
available for the eventual integration of schools. The issue of busing
for racial balance in public schools has become a matter of such im-
port that many areas of American life are now affected by it. What
was once an educational decision now has psychological, social,
financial, and political implications.

Education in the United States has traditionally been
concerned with the development of the abilities of each person entrusted to this system. However, the advantages of this ideal of education have not always been made available to every child, regardless of race or color, and a polarization into two separate and unequal communities threatens that ideal. Many communities have tried to alleviate this segregated condition with compensatory education, federal and state grants for teachers' salaries, equipment and construction, and busing.

Knowledge of what busing entails and the effects of such programs is important so that wise decisions may be made by local school boards, administrators, and teachers for the benefit of all the children they are to educate.

Procedure of the Study

This study was made by the writer's reviewing and analyzing the available literature and research studies on busing.

Definition of Terms

The term busing as used in this study is defined as the transporting of one racial group of pupils out of their neighborhood school into another school for the purpose of desegregation.

Segregation is defined as the policy or practice of compelling racial groups to live apart from each other, go to separate schools, or use separate social facilities.

Desegregation is defined as the abolishment of segregation practices, usually by law.

Integration is defined as the bringing together different
racial groups into free and equal associations. There is implied in this definition a willingness to mix.

Organization of the Remainder of this Thesis

In Chapter 2, the literature concerning the history and implementation of busing in the United States is reviewed.

A review of the legal and political aspects of busing is covered in Chapter 3. This review is concerned with: Supreme Court decisions; some significant cases pending in lower courts, and the political ramifications of the busing issue.

Significant busing plans, research, and findings are reviewed in Chapter 4, and psychological implications are analyzed and recommendations are given in Chapter 5.
Chapter 2

REVIEW OF THE LITERATURE ON THE HISTORY
AND IMPLEMENTATION OF SCHOOL BUSING

Pupil transportation has been viewed by most Americans as a convenience, even a necessity, for the education of the nation's children since before the country was founded. The first pupil transported at public expense to an American school is unknown, but was almost certainly an Indian attending Harvard College (in those days, ministers were paid from the public purse to transport promising Indian children to the school).

The first documented suggestion that pupils attended formal, state supported schools distant from their homes appears in New England's First Fruits, published in 1643. Speaking of the founding of Harvard College (as a college, after the Indian school had been abandoned), Harvard's earliest Rules and Precepts (No. 6) provided "... Nor shall any, without his tutor's leave or (in his absence) the call of parents or guardians, go abroad to other towns." It is logical to surmise that many candidates in both the college and grammar school came from these "other towns." (Smith, 1972)

Through the eighteenth and early nineteenth centuries, American public education gradually came into being. New England
public school districts were based upon township lines, and were financed largely by local taxes (sometimes wealth rather than real property taxes). In the South, school districts were based on county and parish lines and supported by state or county-wide taxes. Because the nation was thinly settled and the population largely rural, "neighborhood schools" were impractical. The child who lived more than a walking distance from school journeyed to and from school by whatever means his family or his neighbors could provide. In the main, transportation meant a long and tedious ride in a rough wagon which had been provided by some family in the neighborhood, with all the families helping to defray any costs for feed for the horses. However, in many instances the child mounted his horse and rode to school—in other instances, a canoe or a rowboat served as a means of travel.

The longest and most arduous school journeys during this period were those of southern blacks, who ventured by Underground Railway to schools as far away as New England and Canada. Individuals made these efforts but once or twice (and rarely more than a half-dozen times in a lifetime) in order to secure the advantages of public education for themselves and their descendants.

The modern period in education in the United States, beginning about 1840, is dense with change and improvement in the means of school finance, consolidation and transportation. Transportation followed as a natural consequence of consolidation of schools. Table 1 offers Professor Noble's summary of this period. (Noble, 1940)
### TABLE 1

**Major Historical Developments**

<table>
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<th>Period</th>
<th>Historical Developments</th>
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<tr>
<td>1840-1880</td>
<td>The principle of centralization of schools established in urban communities, extended to other independent districts, and inaugurated in rural sections. Two states, Massachusetts and Connecticut, enacted transportation statutes.</td>
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<tr>
<td>1880-1894</td>
<td>Gradual extension of the consolidation and transportation ideas.</td>
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<tr>
<td>1894-1910</td>
<td>A period of marked increase of interest in rural schools; a general rapid enactment and betterment of consolidation and transportation laws.</td>
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<tr>
<td>1910-1925</td>
<td>A period of more united effort in bringing about consolidation, determining its value, and working out the best way to make it effective. Scientific studies initiated to develop improved methods of distributing state aid for transportation and consolidation, and determine factors affecting transportation costs. Transportation by bus succeeded transportation by horse-drawn vehicles as the predominating mode of pupil transportation.</td>
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The first state act providing for state-aided pupil transportation was passed by the Great and General Court of Massachusetts in 1869. Other New England and Midwestern states rapidly followed suit.

In Florida and Utah, the act that entailed public transportation was the same act that set forth the powers of the county school
boards. In Florida, the statute allowed . . . "all acts reasonable and necessary for the promotion of the educational interests of the county and the general diffusion of knowledge among the citizens." In Utah, C. H. Jensen, the State Superintendent explained: "It is rather fortunate that the law which consolidated the schools in Utah . . . placed in the hands of the school boards, among other powers, the power to do all things needful for the maintenance, prosperity, and success of the schools and the promotion of education." (Smith, 1972)

By 1934, twenty-three states had made pupil transportation mandatory under certain conditions, to be judged by the local school board.

According to Paul V. Smith, "It is unclear what authority allowed school boards to compel students to attend schools located a distance from their homes, but fortunately, traditional American respect for education as an agency of society has been so profound that the question never arose in practice."

There were questions being raised in some segments of American society, however (Farley, 1938). As the benefit of attending a consolidated school became known, many black children in the South became intent upon possessing it. Leo M. Favrot, Louisiana State Agent for Negro Schools, pointed out in 1923, "Even our Negro population realizes the advantages of a large central school to such an extent that the Negro child is willing to walk great distances to attend a school of this type and demands a school of this type in preference to a one-teacher school."
Mr. Favrot was acute in stressing the black child's willingness to walk. In 1936-37, the proportion of white children transported to school was nine times as great as the proportion of blacks in twelve southern states.

When transportation became available to blacks it was still within the confines of a segregated system. Sometimes the buses were old ones that had been replaced by new buses for white children. Often the black children spent several hours on the bus each day, leaving home before daybreak and not returning until dark.

Some trips could be measured in terms of days and weeks instead of hours. Some round trips simply were too long to be made daily. Thus the pupil would leave home on Monday morning, spend the entire week at school, and return home on Friday. Blacks in Warren County, Virginia can recall making such trips as late as 1958. Theirs was one of seventeen Virginia counties which had no black high school, so one hundred six Warren County black students had to attend schools in two neighboring counties (U.S. Commission on Civil Rights, 1972).

Southern blacks were concerned about busing, not just because it meant separate schools, but because it meant unequal schools. This nearly always meant a better school for white than black children. Busing was looked upon as an advantage—a symbol of the desire of parents and the community to provide children with the best possible schooling. Black parents were shortchanged in terms of buildings, teachers, books, and supplies—in short, in public education itself—and they were similarly deprived of pupil
transportation.

Henry Marsh, a young black Virginian who is vice mayor of Richmond, recalled in a recent address that his earliest memory of school segregation was when he "walked five miles each way to a one-room school with one teacher and seven grades, while white children rode past me on the school bus to a modern, well-staffed school." (U.S. Commission on Civil Rights, 1972)

Traditionally, busing has caused little upset or controversy in the white community for everyone understood that the benefits, in the form of better educational opportunity, warranted the minor inconvenience which a bus ride involved. Scenes of picketing and protest over busing were rare, and occurred only when parents demanded more, not less, busing.

In recent years, the situation has changed radically. The school bus has come to represent for many an absolute evil, demanding the needless waste of money, a threat to the safety of children, and a health hazard. However, this is a very specialized representation. For children in rural areas still are bused in increasing numbers as school consolidation proceeds and handicapped and gifted children are still bused to schools with special facilities and curricula. Fewer than half of the nation's pupils get to school by foot or bicycle (Smith, 1972).

In summary, pupil transportation has long played a major role in the education of American school children. It was the direct outgrowth of the movement toward consolidation of schools. It has not always been easy or inexpensive, but was desirable as it helped
to afford better education to children who would otherwise have been deprived of such opportunities. It is only in the context of school desegregation that busing has become an issue of emotion and controversy.
Chapter 3

REVIEW OF THE LEGAL AND POLITICAL ASPECTS OF BUSING

Busing has played a role in the desegregation controversy from the time of the Brown v. Board of Education decision in 1954. However, busing specifically for desegregation purposes has been used across the nation only in the last three or four years. In the first dozen years after the Brown decision, courts concerned themselves with the right of individual black children to attend non-segregated schools. Southern districts answered with elaborate freedom-of-choice plans which put the burden of desegregation on the children seeking it (Morsell, 1968).

Why the burden of desegregation should be put on the black child is the direct result of the history of race relations in America and the fundamental legal and moral imperatives which compelled the Supreme Court to order desegregation. Even the most dispassionate recital of the history of race relations in the United States makes the point clear; the enslavement of black people was tolerated well into the first half of this country’s history. Attempts to justify this lack of humanity extended even to the Supreme Court which, on reviewing the case of Dred Scott in 1857, a man classified as slave in one state
and freeman in another, declared that black people were "of an inferior order, and altogether unfit to associate with the white race..." and refused to extend the protection of the United States Constitution to black people. After a bloody civil war over the issue, the passage of the Thirteenth, Fourteenth, and Fifteenth Amendments explicitly repudiated this outrageous principle. Yet, even after this, the nation acquiesced in the rapid growth of an officially sanctioned caste system. Black Americans were burdened with Jim Crow laws explicitly circumscribing their role in every conceivable aspect of human activity. Nothing was done to correct this situation until this century, when a new civil rights movement began attacking this humiliating and dehumanizing caste system (Lines, 1972).

Progress was slow. Plessy v. Ferguson, 1896, a now infamous "separate but equal" Supreme Court decision, haunted the schools. In Plessy, the Supreme Court decided that a state law requiring separate accommodations on railroads did not deny equal protection of the laws, or any other right created in the post-Civil War amendments. While the Court reasoned that laws requiring separation do not imply inferiority, Justice Harlan—in a dissent later hailed as the clearest and only justifiable analysis of the Constitution—-noted that laws requiring separation of the races were basically "unfriendly." He regarded them as inimical to the rights guaranteed in the Constitution, particularly in the context in which they were written:

Everyone knows that the statute in question had its origin in the purpose, not so much to exclude white persons from railroad cars occupied by blacks, as to exclude colored people from coaches occupied by or assigned to white persons.
In Harlan's view, the separation of the races was not done by mutual consent of the parties involved, but was required by the majority which saw the minority as inferior; the most scrupulous equality in the accommodations would never provide the equality among men required by the Constitution (Lines, 1972).

After Plessy, the Supreme Court became more responsive to the civil rights movement, but rights gained in court were limited nonetheless to narrow, specific situations. Small gains toward equal education opportunity were made in a series of cases from 1838 to 1950, in which the Supreme Court ordered the admission of black students to all-white graduate schools. In 1954, however, most of the Jim Crow laws were still in effect in the South, where skin color could legally affect a man's birthplace, schooling, marriage, occupation, and burial. Racial segregation (but not racial discrimination) was ended in only a few limited areas.

In education, the "separate but equal" doctrine was still in force. Southern schools were segregated by law. Even colleges and universities which were opened to black applicants (because the Supreme Court found universities for "coloreds" were too poorly endowed) continued to practice another blatant and ridiculous form of segregation. A graduate student, for example, was placed alone in a separate section of the classroom, and surrounded by a rail. (Later he was simply assigned a separate row.) He was required to eat at a separate dining room table and to use a special library table.

The Plessy doctrine was at last rejected in Brown v. Board of Education of Topeka, Kansas. The Court explicitly noted that the
case should not turn on the equality of educational facilities (Lines, 1972). Instead, it found that education could never be equal so long as some children were required to attend separate schools:

To separate (minority children) ... from others of similar age and qualifications because of race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone.

Quoting at length from a lower court opinion, Justice Warren observed that:

Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of law; for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the child to learn. Segregation with the sanction of the law, therefore, has a tendency to retard the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racially integrated school system.

Immediately after deciding Brown, the Court invalidated segregated schools in Washington, D. C. The Court found that segregation itself violated the due process clause of the Fifth Amendment:

Segregation in public education is not reasonably related to any proper governmental objective, and thus it imposes on Negro children of the District of Columbia a burden that constitutes an arbitrary deprivation of their liberty in violation of the Due Process Clause.

While the Supreme Court's decision in the Brown case was momentous, it applied specifically to only five cases that were before the Court at that time. These specific districts were Virginia, South Carolina, Delaware, and Kansas and the District of Columbia mentioned above. The Court's failure to order immediate implementation of its 1954 ruling necessitated each succeeding case be
judged individually with much of the burden in the litigations placed on Federal District Courts. This allowed for years of protracted resistance and delay by Southern state governments in desegregating their schools (Lines, 1972).

There was one other factor which added to the difficulty in implementing the Brown decision. Soon after the 1954 decision, the Supreme Court retreated from its own position by giving approval to the Pupil Placement Law. This law permitted the states themselves to determine where school children might be placed by virtue of family background, special ability, and other subjective criteria. The Pupil Placement Law was almost as far-reaching in modifying and limiting the integration of schools as the original decision had been in attempting to eliminate segregation. Without technically reversing itself, the Court had granted legal sanction to tokenism and thereby guaranteed that segregation, in substance, would last for an indefinite period, though formally it was illegal (Morsell, 1969).

The despair among Negroes was reflected in a statement made by Martin Luther King, Jr. in 1964:

The Negro has been deeply disappointed over the slow pace of school desegregation. He knew that in 1954 the highest court in the land had handed down a decree calling for desegregation of schools "with all deliberate speed." He knew that this edict from the Supreme Court had been heeded with all deliberate delay. At the beginning of 1963, nine years after this historic decision, approximately nine percent of southern Negro students were attending integrated schools. If this pace were maintained, it would be the year 2054 before integration in southern schools would be a reality (King, 1964).

Congress was not idle, however, and reflected the new awareness with the enactment of the landmark Civil Rights Act of
1964. This act contained the basic legislative authority for federal school desegregation activities. The relevant provisions of the 1964 Act were as follows:

**Title IV.** Authorized the Office of Education to give technical and financial assistance, if requested, to local public-school systems planning, or in the process of desegregation.

Authorized the Attorney General to file suits for the desegregation of public schools and colleges upon receipt of a complaint from individuals who were unable to initiate and maintain legal proceedings provided that the action would "materially further" orderly school desegregation.

Stated that the law did not authorize U.S. officials or courts to issue any order seeking to achieve racial balance in schools by transporting children from one school to another (busing).

**Title VI.** Prohibited discrimination, under any program or activity receiving federal assistance, against any person because of his race, color, or national origin.

Directed each federal agency to issue regulations for carrying out the nondiscrimination provisions of the law in its grants and loan programs.

Required agencies to seek voluntary compliance first but authorized agencies to cut off federal funds for a program, after a hearing, if the particular recipient or political entity did not comply.

**Title IX.** Authorized the Attorney General to intervene in private suits in which persons have alleged denial of equal protection of the laws under the 14th amendment and in which he certifies that the case is of "general public importance."

One of the most important aspects of the Civil Rights Act of 1964 was that by making the end of segregated public education a statutory goal, it disposed once and for all of the specious contention that the 1954 rule was only "judge-made law." And by authorizing the U.S. Department of Justice to bring segregation lawsuits on its own initiative, it relieved the Negro parents from some of the onerous (and often dangerous) burden they had been forced to assume
for the previous years (Mathews, 1972).

Title VI became one of the most effective weapons in the desegregation of schools. Schools that might have found ways of circumventing other laws found that when tax funds were withheld, it was better to comply.

For all the impact that the Civil Rights Act of 1964 had, it contained some provisions that kept desegregation from becoming a reality. In the third section of Title IV it stated that the law did not authorize U.S. officials or courts to issue any order seeking to achieve racial balance in schools by transporting children from one school to another (busing). This represented one of the concessions made to the South in order to get the bill passed. John A. Morsell (1969) states, "Had the Southern opposition been able to foresee the future, it would have tried to exact a heavier price. Court decisions have consistently narrowed the ground on which evasion can be successfully mounted."

The 1966 amendments to the Elementary and Secondary Education Act prohibited the Federal Government from requiring the assignment or transportation of students or teachers to overcome racial imbalance. These amendments also set a limit of sixty days during which grants under education programs could be deferred for noncompliance without a hearing and required that a decision be issued within thirty days after a hearing.

Some districts had been able to avoid meeting the guideline requirements prescribed by the Department of Health, Education and Welfare (HEW) by complying with court orders that were permissive.
In 1966, the Fifth U.S. Circuit Court held that no court-directed desegregation plan could be less comprehensive than the minimum prescribed in the HEW guidelines. This decision focused on the school system as a whole and said that formerly dual systems had to convert to "unitary," or single, systems without racial division. The court also said that freedom-of-choice plans would be acceptable only if they resulted in desegregation, and not merely in the possibility of desegregation (U.S. Commission on Civil Rights, 1972).

Two years later, the Supreme Court held that districts have a duty to set up a unitary system and eliminate segregation "root and branch." The Court called for a school system in which there would be no white or black schools, "but just schools."

"The burden on a school board today," the Court said, "is to come forward with a plan that promises realistically to work, and promises realistically to work now."

These two decisions set the stage for the busing controversy. This was not because they ordered busing--the districts involved already had busing--but because they ordered elimination of "white" and "Negro" schools, and in many communities that could be done only by busing both white and black pupils.

In the meantime, a few Northern cities--Boston, Chicago, Evanston, Berkeley, Hartford, Rochester, Riverside, and others--began experimenting with busing as a means of increasing school integration. Some of these plans called for "one-way" busing--that is, transporting minority pupils to predominantly white schools. Others called for "two-way" busing, in which both white and minority
children would be bused.

In 1969, the Supreme Court declared an end to the "all-deliberate-speed" rule. "The obligation of every school district," the Court asserted, "is to terminate dual school systems at once and to operate now and hereafter only unitary schools."

When President Nixon nominated as Chief Justice Earl Warren's successor Warren Earl Burger, a judge on the United States Court of Appeals for the District of Columbia, it was of some concern to people involved in the struggle for equality in this country. The first major decision under the new Chief Justice rejected the Nixon administration's plan to delay school integration in thirty-three Mississippi districts and ruled that districts must end segregation "at once" and operate integrated systems "now and hereafter." Thus the Burger Court took a landmark pace beyond the "all deliberate speed" of the Warren Court.

Thus was opened to those who were involved in the fight for desegregation of the schools a more definitive guideline, and more and more individuals brought suit against school districts throughout the country.

In 1971, in the Swann v. Charlotte-Mecklenburg, N.C. case, the Court ruled on what kind of steps should be taken to create a unitary system. The Court held unanimously that busing is a proper means of desegregating schools. "We find no basis for holding that the local school authorities may not be required to employ bus transportation as one tool of school desegregation," wrote Chief Justice Warren Burger. "Desegregation plans cannot be limited to the
walk-in school."

The Court was careful in its handling of the busing issue. Burger acknowledged that there were circumstances in which busing could go too far.

"An objection to transportation of students may have validity when the time or distance of travel is so great as to risk either the health of the children or significantly impinge on the educational process," Burger said.

The decision also continued, "Neither school authorities nor district courts are constitutionally required to make year-by-year adjustments of the racial composition of student bodies once the affirmative duty to desegregate has been accomplished and racial discrimination through official action is eliminated from the system."

One of the most significant aspects of the Charlotte-Mecklenburg case was the deliberate gerrymandering of school lines and the assignment of teachers and students on the basis of race. The Court found these practices illegal and provided commentary that was applicable to cities all over the country, although few Northern districts have acted so blatantly. Noting the interplay between a school board's selection of school sites and housing patterns, Burger said such acts are not legally neutral:

People gravitate toward school facilities just as schools are located in response to the needs of the people. The location of schools may thus influence the patterns of residential development . . . and have important impact on composition of inner city neighborhoods. At least in a Southern district, the school officials do not fulfill their constitutional duty merely by assigning students to neighborhood schools. All things being equal, in a Northern district with no history of discrimination, it might well be desirable to assign pupils to schools
nearest their homes.

It was only natural that the focus of desegregation efforts should shift from the South to the North, for statistics released by HEW showed that Southern schools were far more integrated than their Northern counterparts. In many cities in the North and West, segregated schools were the direct consequence of the continued movement of the white population out of the center cities and their replacement by ever larger concentrations of Negroes (and in some locales, of various other minority groups) (Pease, 1968).

Southern segregation was thought to be de jure, brought about by state laws requiring separate school systems for blacks and whites. Segregation in the North, it was assumed, was de facto in origin, the inadvertent if unhappy side-effect of housing patterns.

Only de jure segregation has explicitly been ruled illegal by the Supreme Court.

Those who argue for the abolition of this distinction, and institution of national standards for desegregation, find little explicit support in the decisions of the Supreme Court, all of which involve districts which once ran dual schools.

In the end, it will fall to the Supreme Court to clarify the differences between de facto and de jure segregation. For short of a constitutional amendment, there is nothing politicians can do that will carry the same weight as a court decree.

Some Significant Court Cases

The district court found that school officials had deliberately segregated certain schools, and ordered them desegregated pursuant to a plan adopted, but later rescinded by the school board. As to seventeen additional schools with minority enrollments of at least seventy to seventy-five percent, the district court found insufficient proof of deliberate segregation, but ordered their desegregation based upon the finding that their students were denied "an equal educational opportunity." In reaching this conclusion, the court noted in the impacted schools lower test scores and higher dropout rates, less qualified teachers and, in general, a disparity in the age of school buildings and the size of school sites.

On appeal, the Tenth Circuit Court affirmed as to the finding of deliberate segregation, but reversed on equal educational opportunity theory. On January 17, 1972, the Supreme Court agreed to review the case. Petitioners raised the question of whether the lower courts erred in looking at the system in segments, rather than as a whole, in assessing system involvement in the creation of segregation. They also challenge the rejection of the equal educational opportunity contention in view of the appellate court's failure to reject any of the factual findings of the district court upon which it was based.

A decision in the Keyes case will indicate whether the Court will decide on narrow grounds that have no clear implications, or intends to launch a major attack on school segregation in the North.

Unlike some Northern school systems, Denver still has a white majority. About fifteen percent of Denver's students are black and another twenty percent are Hispano (the local term for those with
Latin-American roots). Most of the blacks live in central or northwestern Denver. The Hispanos are also concentrated in a few areas. Since Denver has traditionally assigned students to neighborhood schools, the blacks and Hispanos generally end up in different schools from the whites. Yet school segregation has not always been unavoidable in Denver, or even unintentional. A school board can draw neighborhood boundaries in any way it finds politically convenient. The Denver School Board, like many others in America, has often used ethnic criteria to define neighborhoods. As the black population grew, the board deliberately redrew some neighborhood boundaries and built at least one new school in such a way as to keep blacks and whites in separate buildings. As a result, Denver's schools were even more segregated than they would have been under a color-blind neighborhood assignment system (Jencks, 1972).

In 1969, the board briefly adopted a new policy aimed at desegregating a number of schools in northeastern Denver. This plan involved busing some whites to schools in black neighborhoods and some blacks to white neighborhoods. Before this policy could be implemented, however, a school board election was held. Two board members who had supported desegregation were defeated, and the new board rescinded the plan. Advocates of desegregation therefore turned to the courts.

Both the Federal District Court and the United States Court of Appeals for the 10th Circuit found that Denver's use of racial criteria to define neighborhood attendance zones violated the 14th Amendment's "equal protection" clause. The real question posed by
this part of the Keyes case is not whether the Denver board acted illegally in the past, but rather what remedy it is now required to provide.

The National Association for the Advancement of Colored People Legal Defense Fund, which represented the plaintiffs, has argued that the board engaged in de jure segregation of essentially the same kind as employed by Southern school boards. The Fund has therefore asked the Supreme Court to order the same kind of remedial efforts in Denver that it has ordered in Southern districts. If the Court agrees, Denver will have to redraw almost all of its attendance zones, not just those it had previously gerrymandered. Furthermore, if Southern precedents are followed, it will not now suffice to redraw attendance zones on a color-blind basis. Instead, Denver will have to redraw its zones in such a way as to offset the effects of neighborhood segregation and produce racially mixed schools. This will mean busing some blacks to schools in white neighborhoods and some whites to schools in black neighborhoods.


The judgment of the Superior Court of Los Angeles provided that the schools of the Los Angeles Unified School District must be "integrated" (each school's enrollment must consist of not more than approximately forty-nine percent and not less than ten percent minority pupils, the balance of the pupils being white), and said schools must be racially balanced (i.e., each school's pupil enrollment must
have approximately the same racial proportions as existed in the school district as a whole). Petitioners allege that:

1. Respondent operates, controls, directs, and maintains, certain elementary, junior high, and high schools as racially segregated schools attended predominantly, and in certain cases exclusively, by Negro pupils and pupils of Mexican descent.

2. Respondent also operates and maintains elementary, junior high, and high schools as racially segregated schools attended predominantly by Caucasian students.

3. That respondent requires the petitioners and those pupils on whose behalf this action is brought to attend racially segregated schools despite the desire and right of said pupils to attend nonracially segregated schools.

4. That respondent has adopted and permitted the implementation of a pupil transfer policy which exacerbates the racial imbalance in public schools of the Los Angeles Unified School District in that it allows Caucasian pupils attending racially balanced schools to transfer out of said schools to schools in which all, or substantially all, of the pupils are of Caucasian race.

5. That respondent has selected sites for the construction of new public schools in such manner as to maintain and increase, instead of alleviate, racial segregation in the public schools of the district.

6. That respondent maintains and determines, and at all times material hereto, has maintained and determined, individual school service areas, which areas, to respondent's knowledge, perpetuate and increase, instead of alleviate, racially segregated
conditions in the public schools within the district.

7. Respondent has failed to take reasonable steps to alleviate and eliminate racially-segregated conditions in the public schools within the district. Some of the reasonable means alleged to be available to the respondent for the alleviation and elimination of such racially-segregated conditions are: (1) redrawing or realigning of school attendance areas; (2) the construction of educational parks and educational complexes; (3) the adoption of the Princeton plan of school pairing to expand the size of school attendance areas; (4) adoption of specialized curricula programs involving so-called "magnet" schools; and (5) revision of the pupil transfer policy so that said policy could be used to aid rather than impede integration.

The court's findings of fact and conclusions of law are seventy-five pages in length. Following are the principal propositions and tenets underlying the court's judgment.

The court first noticed in its findings the concentration in many of the district's schools of Negro and other nonwhite and Mexican-American pupils.

The court first found the concentrations of minority pupils in the district's schools to be the result of de jure segregation. Second, the court found that, even if the concentrations of minority pupils in the district's schools were the result of de facto rather than de jure segregation, racially separate schools are inherently unequal so that minority pupils educated therein are denied equal educational opportunity. In other words, the court held that Brown v. Board of Education, (1954) condemned and required the disestablishment of de
facto segregation schools as well as de jure segregated schools.

Third, the court found, apart from the second proposition, that integrated education provides more educational benefits to the minority child than does segregated education, and that the board of education, being required to furnish equal education opportunities to all pupils, must provide integrated education to minority pupils. In other words, integrated education is the educationally sound policy for the district to pursue in the education of its minority pupils.

In addition to finding that integrated education would tend to raise the academic achievement of minority pupils, the court also found another benefit from integrated education, namely, the reduction of interracial prejudices.

Alfred Gitelson, the judge who ordered Los Angeles school integration was soundly defeated in his bid for re-election to the Superior Court. He attributed his defeat to his stand on the racial issue.


Plaintiff's motion for a summary judgment was granted May 12, 1971, the court finding "sufficient 'de jure overtones'" in school practices to warrant a holding that the segregation of the elementary schools violated the Fourteenth Amendment. Thereafter, a pairing plan was adopted, affecting six schools and increasing the number of students transported. The system appealed. The District Court and Ninth Circuit Court declined to stay implementation. The school district argued on appeal that summary judgment was
erroneous because there were genuine issues of material fact on the question of the school officials' intent.

In November, 1972, the Supreme Court unanimously denied the Oxnard school board's request for a stay of a busing order issued by U.S. District Judge Harry Pregerson. The justices did not explain their reasons for rejecting the school board's argument that a stay was authorized by a new federal busing moratorium law. However, twice before, individual justices had turned aside the board's applications for stays. Justice William O. Douglas denied a stay on September 5, 1972, and Chief Justice Warren Burger followed suit on September 20, 1972.

The school board's position had been that the busing moratorium law--known formally as the Broomfield Amendment to Education Amendments Act of 1972--required that all court-ordered busing plans be suspended while appeals were pending or until January 1, 1974, when the law expires.

In late August, the Oxnard School District took this position in an appeal to the U.S. Court of Appeals in San Francisco. This request for a delay was also turned down. The appeals panel, despite the intervention of the Justice Department on the side of the school board, said that the law does not apply to court-ordered school desegregation programs already in operation on July 1, 1972, when the law went into effect.

The Supreme Court has never ruled on the law's meaning and has yet to grant a full-dress hearing to any of the many school districts that have applied to the tribunal for stays. The court's
inaction alarmed proponents of the Broomfield Amendment, including some members of the Nixon Administration, who had hoped it would slow and eventually halt all court-ordered busing orders.


The above two court cases have been examined together.

Early in 1972, federal district Judge Robert R. Merhige ordered the merger of Richmond, Virginia's predominantly black school district with two predominantly white suburban county districts. Several months earlier, federal Judge Stephen Roth in Detroit ordered Michigan officials to submit a desegregation plan for the Detroit metropolitan area. If the Richmond and Detroit decisions are upheld, they will have broad impact on metropolitan areas throughout the nation.

For one thing, they provide a school integration remedy in places where it was previously thought to be a rapidly diminishing possibility. Black students constitute a majority of the school enrollment of many cities, particularly large ones, and their number is growing rapidly. Black enrollment in Richmond, for example, is now about sixty-five percent and Detroit's is more than sixty percent. Substantial school integration can be accomplished in many places only if the area encompassed by a court-ordered desegregation plan is larger than the city itself. William L. Taylor, former Chairman of the U.S. Civil Rights Commission states that Brown v. Board of Education could become an anachronism unless its principles are
interpreted broadly enough to encompass metropolitan relief. Because thirty-seven percent of the black population lives in the country's twenty-five largest cities (where racial concentrations tend to be highest), school integration, without metropolitan relief, can become a reality only in the smaller cities and rural areas which are rapidly losing population.

The Richmond and Detroit decisions also have wide implications because they rest upon legal principles and factual findings which make them applicable throughout the country. The circumstances and principles, best articulated in the Richmond case, were summarized by Judge Merhige as follows:

1. Public education is the responsibility of state government, which must make it available to all on equal terms. In Richmond, Judge Merhige found that general supervision over public schools was vested in the State Board of Education, which prescribed standards for certifying teachers, set quality standards, and approved local construction programs.

   In Detroit, Judge Roth found that the Michigan Board of Education had similar responsibilities, as do the state boards of education in all states.

2. Political subdivisions, including school districts, are creations of the state and will be altered when necessary to meet the overriding demands of the Constitution. This principle has had its major contemporaneous application in reapportion cases. It has also been applied to school districts in situations where courts found that the districts were segregated as a matter of law. ... If political
boundaries amount to insuperable obstacles to desegregation because of structural reasons, such obstacles are self-imposed. Political subdivision lines are creations of the state itself, after all."

3. **De jure** school segregation is established by demonstrating that school assignment policies are based upon segregated housing policies. This was the question the Supreme Court left unresolved in the Swann case. Judge Merhige's resolution of the issue was crystal clear:

School authorities may not constitutionally arrange an attendance zone system which serves only to reproduce in school facilities the prevalent pattern of housing segregation, be it publicly or privately enforced. To do so is only to endorse with official approval the product of private racism. In this ruling, the court was following the recent line of decisions in northern school desegregation cases involving Pontiac, Michigan and Pasadena, California, as well as a Fourth Circuit holding affecting the Norfolk schools. A corollary principle is that the appropriate test of the constitutionality of school officials' actions is their operative effect, rather than whether they were the product of invidious intention or racial hostility. Constitutional violations may be established by the "knowing pursuit of policies which cannot but produce racial separation," and legality will be gauged by the "natural, probable, and foreseeable effect of the action."

In both Richmond and Detroit, these holdings were supported by massive evidence of officially sanctioned housing segregation (Taylor, 1972). This included the policies of the Federal Housing Administration (FHA) during the 1930's and 1940's, which called for the maintenance of racially and economically homogeneous neighborhoods and schools protected from "adverse influences" by "proper zoning regulations and deed restrictions." The persistent effect of these policies can be gauged by continuing segregation in FHA-assisted sale and rental housing. Other important factors include
court enforcement of racially restrictive covenants, the location of public housing only in predominantly-black sections of the inner city, the refusal of suburban jurisdictions to permit the construction of federally subsidized housing for low and moderate income families (and the predominantly white occupancy of these units where permitted), and continuing discriminatory practices of realtors and developers unrestrained by effective governmental action. Additional evidence tied these housing segregation practices directly to segregated schools. In Richmond, for example, it was established that when new suburban subdivisions were built, new schools were frequently constructed to serve only the all-white populace of the subdivision.

In short, the core of the Richmond and Detroit decisions was heavy government involvement in housing discrimination which contained blacks within the central cities. This demonstrated that black attendance at geographically zoned segregated schools was hardly accidental or fortuitous. Metropolitan-wide efforts to integrate schools are well within Brown's mandate to end governmentally imposed segregation, and cannot fairly be described as imposing "artificial racial balance."

4. The State has no compelling interest in maintaining racially separate school systems within a single bi-racial metropolitan community. While the Richmond and Detroit defendants repeatedly argued the sanctity of school district lines, they were unable to establish how these boundaries had any paramount significance in what were in practice single metropolitan communities. The evidence
of "community of interest" was substantial. In Richmond, the city and the two suburban jurisdictions formed the great bulk of what is defined by the Census Bureau as a single interdependent metropolitan community. A substantial proportion of suburban residents works in the city, suburban people make many of their purchases in Richmond city stores; a large volume of traffic flows back and forth daily across jurisdictional lines; almost everyone in the metropolitan area is born or dies in a Richmond city hospital; many of the recreational and cultural facilities located in one jurisdiction serve people in the entire metropolitan area. In addition, the three governmental entities have contractual arrangements for the use of water and utilities, and are working toward other joint approaches to solve problems that are widely regarded as regional in nature.

In Detroit, even less educational interest justifies existing boundaries. Eighty-five separate school districts exist within the metropolitan area. Unlike Richmond, they vary in their school enrollments and overlap other kinds of political subdivisions.

The justification for existing school boundaries has arisen in another form in Indianapolis where the court, in a school desegregation suit directed initially at the city school board, has asked how the maintenance of separate school districts can be justified in a metropolitan area which has consolidated all other functions.

In Richmond much more proof existed than has been summarized here. The case had dragged through the courts for ten years while the city schools were becoming predominantly black. The state of Virginia had intervened massively to preserve
segregation, freely transferring children across district lines and busing them long distances. Yet Judge Merhige apparently did not regard these factors as essential to his decision:

When a school board . . . operating in any area where segregated housing patterns prevail and are continuing, builds its facilities and arranges its zones so that school attendance is governed by housing segregation, it is operating in violation of the constitution . . . These conclusions apply in a case where no history of past intentional segregation was relied on in order to establish an affirmative duty to desegregate. In a situation such as the instant one, when officially mandated segregation was enforced by numerous other means, the legal principles are all the more demanding.

In sum, the crucial elements of the Richmond and Detroit decisions were state responsibility for public education, the containment of black people in the central city by housing discrimination policies, and the lack of justification for maintaining separate districts in a single metropolitan community where they resulted in segregated schools. If the decisions are sustained on these grounds, they will have obvious applicability throughout the country.

One of the more interesting cases involving busing was the Spangler (and United States) v. Pasadena City Board of Education in 1970. The District Court held that officials had illegally segregated the system, and ordered the implementation of a plan in September, 1970, under which there would "be no school . . . with a majority of any minority students." Minority students constituted 41.7 percent of the enrollment as of the court's order. The plan utilized pairing of schools and transportation. The court cited Pasadena's current transportation plan as a discriminatory practice as it was being used to bus white students to promote segregation.
Pasadena desegregated under a court order that did not specify busing, but did mandate racial balance in the city's schools. The busing plan was the approach used by the school system to carry out the court order. How to desegregate the schools without busing in a city where housing is still largely racially separate—and not violate the terms of the court order—was the problem the Pasadena School Board had to face. In 1971, about 12,500 pupils (or about forty-six percent of the total enrollment) rode on buses. Prior to desegregation, about four thousand pupils were bused.

There are many other desegregation cases in the courts in the North and West. Some of the cities involved are: Las Vegas, Nevada (1972); Pittsburgh, Pennsylvania; Boston, Massachusetts (1972); Benton Harbor, Michigan (1970); Minneapolis, Minnesota (1972); Pontiac, Michigan (1971); Rochester, New York (1970); San Francisco, California; San Jose, California; Seattle, Washington (1971); Kalamazoo, Michigan (1971); and Grand Rapids, Michigan (1971).

Some Political Factors of Busing

On March 17, 1972, President Nixon told a nationwide television audience that he had called on Congress to enact a moratorium that would stop "all new busing orders by federal courts." He added that he would also propose that Congress pass, as a companion measure, an act requiring "that every state or locality must grant equal educational opportunity to every person regardless of race, color or national origin." Mr. Nixon repeated his opposition to busing for the purpose of achieving racial balance in schools, and he felt that
most Americans shared his view. He continued:

What we need now is not just speaking out against more busing, but action that will stop it. Above all, we need to stop it in the right way—in a way that will provide better education for every child in America in a desegregated school system.

Action is urgent because in a number of recent decisions in lower federal courts, those courts have gone too far—in some cases beyond the requirements laid down by the Supreme Court... Those decisions had created confusion, anger, fear, and turmoil.

Constitutional amendments against such busing should be considered thoroughly by Congress on their merits, but they would be too slow to stop the practice. An amendment would take twelve to eighteen months to become effective and what we need is action now.

What I am proposing is that at the same time we stop more busing, we move forward to guarantee that the children currently attending the poorest schools in our cities and in rural districts, be provided with education equal to that of the good schools of their communities.

Mr. Nixon went on to say that taken together, the two elements of his proposal—the moratorium on new busing and the Equal Educational Opportunities Act—would focus efforts where they really belonged—on better education for all children rather than on more busing for some children.

The President directed all agencies and departments of the federal government to carry out the spirit of this message in all their actions. "I am directing that the Justice Department intervene in selected cases where the lower courts have gone beyond the Supreme Court's requirements in ordering busing."

"The purpose of busing," Mr. Nixon said, "is to help end segregation. But experience in case after case has shown that busing is a bad means to a good end. The frank recognition of that fact does not reduce our commitment to desegregation—it simply tells us that we have to come up with a better means to that good end."
Mr. Nixon also sought to deal with the charge, "that to oppose busing is to be antiblack."

"This is dangerous nonsense," he said. "There is no escaping the fact that some people oppose busing because of racial prejudice. But to go on from this to conclude that 'antibusing' is simply a code word for prejudice is a vicious libel on millions of concerned parents who oppose busing not because they are against desegregation, but because they are for better education for their children."

Administration officials discounted suggestions that there may be constitutional barriers to a legislative attempt to inhibit the courts in enforcement of constitutional prohibitions against racial discrimination.

Attorney General Richard G. Kleindienst stated that Congress has authority to vote the moratorium while it develops a new national policy. He cited Article III of the Constitution, which gives the Supreme Court its broad appellate jurisdiction subject to "such exceptions, and under such regulations as the Congress shall make." He also referred to the final provision of the Fourteenth Amendment, empowering Congress "to enforce by appropriate legislation" the amendment's provisions.

Seldom has a major legislative proposal of a President of the United States been as swiftly denounced and discarded as President Nixon's Equal Educational Opportunity Act (EEOA). Part of its troubles could be traced to partisan politics in an election year. Part also stemmed from the automatic distrust among many education-minded members for any school bill put forward by an administration
which, they felt, had short-changed education. But the main reason for its swift demise was the devastating weight of criticism heaped on it by educators, lawyers, political leaders, civil rights spokesmen, and other witnesses at hearings in the House and Senate. Besides exposing the limited nature of the financial commitment Nixon was prepared to make for his program--$2.5 billion, or about one-third of funds already authorized by Congress but never used--the testimony severely shook the admittedly flimsy premise on which the administration was basing its case, namely, that compensatory education works, and that more money will make it work better.

This has been the subject of debate among education policy makers for years and until President Nixon's proposal, his administration had sided with those who held the case was not proved, and that more research instead of more money was what was needed.

One study in the Office of Education files is devoted solely to the identification of compensatory education programs for disadvantaged children that might be regarded as successful. It was conducted by the American Institute of Research (AIR) in Palo Alto, California, which, after reviewing 1,200 applicant programs, found ten it deemed successful. The study followed up two earlier ones that had identified thirty-one successful programs. In a re-evaluation of these, AIR declared only nine could still be considered successes. In summarizing their findings, the AIR researchers said, "This study confirmed the conclusion of the earlier studies--that very few compensatory education programs for disadvantaged children have clearly demonstrated success" (Beckler, June, 1972).
The Nixon administration included a summary of the AIR report in the bulky report it submitted to Congress, but with significantly different interpretations. According to the administration, the major conclusion of the study was: "In spite of some evidence from other studies that education for disadvantaged children is not having the immediate and broad impact which had been hoped for, there is substantial proof of the effectiveness of some individual approaches."

Another government-sponsored study calls into question the wisdom of basing any educational policy on current research into the effectiveness of compensatory education or any other program. Done by the Rand Corporation for the President's Commission on School Finance, the study concludes that "research has not discovered any educational practice, or set of practices, that offers a high probability of success over time and place."

But it is the quality of the research, not that of any program, that the Rand study finds distressing, particularly the almost total reliance on standard achievement test results for evaluating programs. "Researchers in education," it says, "are plagued by the virtual impossibility of measuring those aspects of education they wish to study. The data they must use are at best crude measures of what is really happening."

Despite such warnings, the President and the Secretary of HEW, Elliot L. Richardson, relied heavily in their presentation to Congress of the Equal Educational Opportunity Act on an evaluation of projects in California which they said gave evidence that the compensatory education approach in Title I of the Elementary and
Secondary School Act was successful in raising student achievement levels when funds were concentrated on target schools.

Probably the single most damaging blow to the EEOA was delivered by the author of that California study, Herbert J. Kiesling, a professor of economics at Indiana University, when he testified before the Senate Education subcommittee in opposition to the bill.

"In the first place," said Kiesling, "the report could hardly serve to support the administration's contention that concentrating compensatory education funds on poor children in inner city schools would improve their learning performances, since no inner city schools had been included in this sample."

His main reason for opposing the bill, however, was based on his rejection of its central purpose as an attempt to provide an alternative to busing in core city schools:

This weak evidence, plus my own experience, leads me to believe that if the program child, after receiving good individualized and specialized attention, has a classroom to go back to, where the other students can sustain his new accomplishments, he will be better off . . . On balance, I do not feel that there is any direct evidence in my study on the busing question, and the indirect evidence is probably as much in support of prudent busing, or some kind of socio-economic mixing, as against it.

Kiesling's testimony was particularly damaging because he was presented to the subcommittee as an administration witness. Chairman Claiborne Pell, (D), Rhode Island, found the hearings becoming increasingly one-sided, and asked the Republicans to bring forward a supporter of the bill, and Kiesling was suggested. In the parade of witnesses, only two, Richardson and Roy Innis, executive director of the Congress of Racial Equality, spoke favorably of the
bill, and the administration could hardly take comfort from the position of Innis, who opposes desegregation and wants all-black schools in the control of black parents.

When called on to defend the bill, Richardson and other HEW spokesmen stressed its compensatory education provisions and rarely mentioned its connection with busing, yet the bill would write into law an absolute ban on any increased busing of elementary school children and permit its use only as a last-ditch, temporary remedy at the secondary level. Critics who say this means that the nearly all-black schools of the inner cities would have to stay all-black and that trying to improve their quality through compensatory education instead of desegregation, amounts to a revival of the old separate-but-equal doctrine, have been accused by Richardson of "gross and irresponsible distortion." But President Nixon's words on the subject would seem to give the critics some ground for their contention:

If we are to treat busing as some sort of magic panacea, and to concentrate our efforts and resources on that as the principal means of achieving quality education for blacks and other minorities, then in those areas of dense minority concentration, a whole generation could be lost ... We must do more to improve the schools where poor families live rather than require the spending of scarce resources on ever-longer bus rides. For those who happen to live where busing is possible, we should encourage the putting of those resources directly into education--serving all the disadvantaged children, not merely those on bus routes.

The financial burden that busing for desegregation places on hard-pressed school districts has often been referred to by the administration as a reason for passage of its bill. This argument, too, suffered during the hearings as a result of information furnished by the administration's own Department of Transportation. The figures,
obtained by the U.S. Civil Rights Commission, not the administration, showed that busing for desegregation increased regular student transportation costs by less than one percent.

Stephen Horn, vice chairman of the Civil Rights Commission, who presented the information to the House Education and Labor Committee, said the total nationwide school busing cost in 1972 was $1.7 billion, up from $1.5 billion in 1970-1971. Population growth accounted for ninety-five percent of the $200 million increase, school centralization for about three percent, and safety, desegregation, and other factors, less than one percent each. Horn felt the addition of $2 million to the $45 billion spent each year on elementary and secondary education hardly warranted the drastic curbs on busing the administration sought (Beckler; June, 1972).

The principal argument the administration has used to support its position, however, is that the Constitutional requirement of eliminating the dual school system has just about been met and that the pursuit of desegregation beyond that level would require a massive relocation of students.

John Beckler (June, 1972), Associated Press Congressional Correspondent states, "Busing is rarely mentioned by Nixon or his subordinates without the modifying adjective 'massive' preceding it. This view has been widely accepted by the public and undoubtedly accounts for the overwhelming support that the public gives to busing bans in the opinion polls."
Arlie Schardt, writing in the September, 1972 issue of Civil Liberties declares:

Proponents say we must stop "massive busing for racial balance." Answer: There is no such thing. It is hard to justify the word "massive" when fewer than three percent of the twenty million youngsters riding school buses are doing so as a result of court-ordered desegregation. In other words, if all busing for desegregation were stopped today, ninety-seven percent of the students who ride buses would still be riding them tomorrow.

Further, the courts have never ordered busing for "racial balance"... Busing for "racial balance" is explicitly forbidden by the courts. Busing is only used as one of many tools to desegregate schools, and only when the evidence demonstrates that schools have been illegally and deliberately segregated into dual systems by official action.

President Nixon's antibusing program drew angry reactions from nearly all sides in the South. Antibusing elements said it would discriminate against already-integrated Southern school districts by stopping future busing in the North while doing nothing about present busing in the South. Civil rights figures accused the President of bowing to racism.

Among the critics were a number of prominent Southern Republicans, including former Postmaster General Winton M. Blount, who said, "President Nixon provides no relief for an already penalized South, and I simply cannot support a moratorium that would apply only to new busing."

Alabama Governor George C. Wallace derided the President's proposals as "weak." Speaking to an Alabama Education Association meeting in Birmingham, he said the American people were "tired of all the talk and want immediate action. Mr. Nixon should use his executive powers to instruct the Justice Department to reopen all
In June, 1972, Congress tacked an amendment onto the $21.3 billion Higher Education bill, limiting the Federal Courts' powers to use busing to achieve racial balance. An even stronger bill was killed by a liberal Senate filibuster in the last days of the session, but it will be reintroduced in January, 1973.

Legal experts disagree over whether Congress has the power to set limits on what the courts may do to enforce the Fourteenth Amendment. While the Supreme Court could hold Congressional restrictions on busing unconstitutional, it is not likely to ignore the popular mood that motivates such legislation. For if Congress cannot achieve its objectives by legislation, it may well try to do so by constitutional amendment. If passed, such an amendment would be a blow not only to school desegregation, but also to the prestige and authority of the Court itself. Constitutional amendments are difficult to enact. During the nineteen-sixties, both the school-prayer decision and the reapportionment decision led to proposals for amendments that would preserve the old arrangements. Neither effort succeeded, and within a few years, both decisions were generally accepted. Opposition to busing may, however, prove more transient.

Christopher Jencks (1972) states:

Unless desegregation ushers in a new era of racial harmony faster than even its advocates expect, white parents whose children attend schools in black areas will continue to feel anxious every day as their children go off to school. This means that support for constitutional curbs on busing may persist long enough to be translated into action.

If such an amendment is enacted, it would be political disaster of major proportions. Both blacks and whites would see it as a decisive defeat for the civil-rights
movement and triumph for segregationism. Blacks would be demoralized, and white supremacists would be encouraged to attack on other fronts. The result might not only be to halt further progress toward racial equality, but also to erode many of the gains made over the past decade.

Senator Walter F. Mondale, Democrat—Minnesota, who, as chairman of the Select Committee on Equal Educational Opportunity, has been looking at all sides of the busing question for the past two years. He stated to the Senate in March, 1972:

Like the President, I do not support unnecessary transportation to achieve an arbitrary racial balance. None of the hundreds of educators with whom I have talked in the past two years supports this kind of effort. And the Supreme Court has made it crystal clear that busing will be required only where it is reasonable and does not place undue burdens on school children ... But if we bar the use of reasonable transportation as one tool for achievement of desegregation, we will set in concrete much school segregation which is the clear and direct product of intentional government policy—segregation which would not exist in this country if racially neutral policies had been followed in the first place.

The question before the Senate, and, indeed, the nation, said Mondale, was "whether we are going to try to understand and deal realistically with the legitimate concerns— and irrational fears— which surround this explosive issue, or whether we will abandon the courts and countless school districts to their own resources." He felt that if this country abandons support for school integration where it can be accomplished, and refuses to support an essential remedy, or the goodwill necessary to make it work, then tragic harm could be the result.

The busing controversy has far-reaching political impact. A general discontent with the means of school integration and primarily with busing are cited as the primary reasons Proposition 21 in
the November, 1972, election in California, was approved with an affirmative vote of sixty-three percent. In an editorial on December 31, 1972, the Los Angeles Times stated that such a strong vote cannot be explained as a reversion to bigotry.

Assemblyman Floyd Wakefield, author of the initiative, is pushing for a rollback on busing now in effect. What he is opposed to, he said, is force. "The cause is forced integration. The end result is forced busing."

The proposition would add a section to the state Education Code dictating that "no public school student shall, because of his race, creed or color, be assigned to or be required to attend a particular school."

It also repeals Assembly Bill 724, or the Bagley Act, which became effective in 1972. The Bagley Act requires school boards to develop plans to eliminate racial segregation and to report them to the State Department of Education. Bagley claimed his law would prevent lawsuits pushing integration because it allowed for an ordered process of remedy which took in a careful eye to establishment of future integrated school sites.

Wakefield contended the Bagley bill would cost $1 billion a year to implement because he said it was "designed to implement a massive integration problem which can only be accomplished by busing."

An early hearing of the constitutionality of the Wakefield Initiative is probable, believes Peter Roos, attorney for the Western Center on Law and Poverty. Roos was the successful attorney in the Oxnard school integration case. Roos believes the initiative will be
ruled unconstitutional because of the state Supreme Court precedent in dealing with the 1971 Wakefield anti-busing law. The Court ruled if Wakefield's bill "were read to limit the school board's authority over pupil assignment, it would impinge upon constitutional principles."

The 1972 initiative does just this--limits the school board's authority over pupil assignments--and so is also unconstitutional, Roos argues.

The NAACP and the American Civil Liberties Union (ACLU) of Southern California are suing in federal court to have the initiative declared unconstitutional. Further clarification from the U.S. Supreme Court on similar cases arising in other states is expected in the future.

The Los Angeles Times editorial expressed the view that no court will permit a return to the fiction that separate schools can somehow be equal schools. The writer also said that busing should not become the basic remedy, for too many situations of segregation are beyond correction through mass transportation. The first requirement is to assure the quality of each school. This is now more practical. For the new tax reform and school finance legislation adopted by the California Legislature gives each school board an opportunity to think more about the quality of schooling and to worry less about the pressure on property tax bills.

The editorial continues, "With quality must come security. No society can tolerate anarchy and violence on or off the school grounds. Each community must devise ways to assure that any child
can attend any school anywhere without fear of violence and abuse. Teachers must be assured an atmosphere that permits them to teach and escape becoming nothing more than corrective officers."

"When quality and security are equalized among the schools, the greatest barriers to integration will have been eliminated," concludes the Times. "This equalization is not easy. But it is essential if the constitutional promise of equal protection and equal opportunity is to be provided each student. It is essential to escape division, for division only weakens a city, or a state, or a nation. To the extent that education can be a reasonable instrument for unity of the people, it must so serve, for that is in the interest of all."

Chapter 4

SOME SIGNIFICANT RESEARCH ON DESEGREGATION
AND BUSING

During the past few years, research on desegregation and related topics has expanded appreciably. Most of the formal studies of actual desegregation are university dissertation projects. During 1967-1972, such research has started to emerge from every major geographical area. Meyer Weinberg (1970) states that one cannot tell the region by the study's conclusion.

Much of the research of the past has suffered from restricted scope--one or two schools or several classrooms--and meager method--frequently the recording of differential mean scores between experimental and control groups is seen as the sole research problem.

Weinberg (1970) sees that in the future, the scope of desegregation studies might be broadened by organizing a school-system-wide analysis. Only collective research efforts could carry through such projects. The Riverside School Study (1967-1972) is a prototype, and will be examined in this chapter.

Specific research on the effects of busing has been meager. This is due not only to the fact that busing as a means of carrying out desegregation orders has been employed only in the last several years,
but that busing has often been treated in conjunction with several other factors so that the specific impact of busing has been lost.

In most of the communities where busing for desegregation has been an issue, emotions have been high and the politicians have played upon people's fears in order to gain power. Research has been used to bolster each position, adding to the confusion. Educators and social scientists have been maligned and few studies have been conducted over a long enough period of time for their evidence to be conclusive. Some studies have had enormous effects on national policies, such as the "Evidence on Busing," by David J. Armor. The results of his findings appeared in the summer of 1972 in The Public Interest, a journal of governmental policy.

Armor's seemingly controlled studies of the effects of school desegregation in Northern cities concluded that "massive mandatory busing for purposes of improving student achievement and interracial harmony is not effective and should not be adopted at this time. President Nixon, in his defense of his anti-busing position, cited Armor's conclusions.

However, Armor's studies provided little evidence on the effects of busing as such. They were, instead, studies of the effects of desegregation on black children who were enrolled in formerly all-white schools. Some of the children were bused and some were not; but in no case was busing looked at as a separate variable.

Armor's criteria for the success of racial desegregation of schools states that busing works only if it leads in one school year to increased achievement, aspirations, self-esteem, interracial
tolerance, and life opportunities for black children. Busing must also meet these standards in all types of interracial schools; no mention or measurement is made of the distinction between merely desegregated and genuinely integrated schools. Kenneth Goodall (1972) states that these criteria must surely represent the most rigid ever employed for the evaluation of a change program in the history of education.

Some of Armor's chief conclusions were:

**Improved Education:** None of the studies have been able to demonstrate conclusively that integration has had an effect on academic achievement as measured by standardized tests.

**Self-Esteem:** Integration does not seem to affect the self-esteem measures (of minority children) in any clearly consistent or significant way.

**Racial Relations:** The data suggest that integration heightens racial identity and consciousness, enhances ideologies that promote racial segregation, and reduces opportunities for actual contact between the races.

**Educational Aspiration:** Bused students do improve their aspirations for college.

Armor drew on his own study of Metco, a voluntary busing program involving Boston and twenty-eight suburbs, plus independent reports varying in time on integration programs in Ann Arbor, Michigan; Riverside, California; Hartford, Connecticut; New Haven, Connecticut; and White Plains, New York.

The studies cited by Armor constitute an incomplete list of
communities involved in busing and are selectively negative in results. Unmentioned are at least seven controlled investigations from busing programs throughout the nation that meet Dr. Armor's methodological criteria for inclusion that report positive achievement results for black students.

Second, only cursory descriptions are provided of the few investigations that are reviewed. Mitigating circumstances surrounding black responses to desegregation are not discussed. For example, Armor does not state that educational services for the transported black pupils were actually reduced with the onset of desegregation in three of the cited cities. In addition, negative findings consistent with the paper's anti-busing thesis are emphasized, while positive findings from these same cities are either obscured or simply ignored. Newer studies from three of the cited cities showing more positive results are not discussed.

Positive findings also are obscured by the utilization of an unduly severe standard. Black achievement gains must be statistically significantly greater than white gains for the paper to regard busing as a success. But such a standard ignores the possibility that both racial groups can make meaningful educational advances in interracial schools. Indeed, this possibility actually occurs in three of the cities mentioned by Dr. Armor. Yet he does not mention this dual success of desegregation; rather, busing is simply rated a failure because the black children did not far outgain the improving white children.

Social psychologist Thomas F. Pettigrew (Goodall, 1972), a
a colleague of Armor's at Harvard, has written a detailed reply to Armor's article in which he says:

From this assortment of "evidence" Dr. Armor concludes authoritatively that "busing" fails on four out of five counts. It does not lead to improved achievement, grades, aspirations, and racial attitudes for black children; yet, despite these failures, he admits that desegregated schools do seem somehow to lead more often to college enrollment for black students.

Our detailed study of each of these conclusions finds that the picture is considerably more positive, as well as more complex, than that painted by Dr. Armor. For example, when specified school conditions are attained, competent research has repeatedly shown that desegregated, compared to segregated, schools improve the academic performance of black pupils.

Other research has demonstrated that rigidly high and unrealistic aspirations actually deter learning; thus a slight lowering of such aspirations by school desegregation can lead to better achievement and should not be regarded as a failure of busing. And militancy and black consciousness and solidarity are not negative characteristics, as the article asserts; their development in desegregated schools should be regarded as a further success, not a failure, of busing. Moreover, the evidence that desegregated education sharply expands the life opportunities for black children is more extensive than indicated in the article. Consequently, Dr. Armor's sweeping policy decision against "mandatory busing" is neither substantiated nor warranted.

Apart from the impairments and incompleteness of the cited "evidence," the paper, in a real sense, was not about "busing" much less "mandatory busing." Three of the cities discussed, including the primary discussion of Boston, had voluntary, not "mandatory" busing. Busing was never cited as an independent variable, and many of the desegregation studies discussed, involved some children who were not bused to reach their interracial schools. Indeed, in Dr. Armor's own investigation of METCO, many of the METCO children were not bused, while many of the controls were.

Finally, objections must be raised to the basic assumptions about racial change that undergird the entire article. The racial desegregation of the public schools is regarded as largely a technical matter, a matter for social scientists more than courts to decide. The emphasis is placed solely on the adaptive abilities of black children rather than on their constitutional rights.

The whole national context of individual and institutional racism is conveniently ignored, with interracial
contact under any conditions assumed to be "integration." We are surprised that such assumptions still prevail in social science in 1972, and we trust that readers will not judge the potential usefulness of competent research to public policy by this unfortunate example.

Kenneth Goodall's (1972) criticism of Armor's study was based primarily on Armor's research methods and the interpretations of the findings. While the Armor findings were generally negative, he had overlooked several studies that were more successful. Goodall's findings are:

**TABLE 2**

*Goodall's Findings on Achievement Results*

<table>
<thead>
<tr>
<th>Place</th>
<th>Grade Level</th>
<th>Achievement Results For Black Children</th>
<th>For White Children (If Tested)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goldsboro, N. C.</td>
<td>7-11</td>
<td>Statistically significant gains in reading, closing black-white differential; gains in math scores do not close racial gap; gains greatest for initially high achievers.</td>
<td>Both reading and math gains; gains greatest for high achievers.</td>
</tr>
<tr>
<td>Newark-Verona, N. J.</td>
<td>1-2</td>
<td>Statistically significantly greater total achievement gains for desegregated in both grades.</td>
<td>No negative effects (only difference favors the desegregated).</td>
</tr>
<tr>
<td>Rochester-West Irondequoit, N. Y.</td>
<td>K-2</td>
<td>Statistically significantly greater verbal, reading and math achievement gains on 13 of 27 tests for desegregated.</td>
<td>No negative effects (only differences favor the desegregated).</td>
</tr>
<tr>
<td>Place, Level</td>
<td>Grade Level</td>
<td>Achievement Results For Black Children</td>
<td>For White Children (If Tested)</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
<td>----------------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>Buffalo, N.Y. 5-7</td>
<td>Two and one-half greater achievement gain for desegregated.</td>
<td>No negative effects</td>
<td></td>
</tr>
<tr>
<td>New York City, N.Y. 4</td>
<td>Statistically significantly greater math-achievement gains, and somewhat greater reading gains for desegregated.</td>
<td>No negative effects.</td>
<td></td>
</tr>
<tr>
<td>Philadelphia, Pa. 4-6</td>
<td>Statistically significantly greater reading and somewhat greater math achievement gains for desegregated in fourth and fifth grades.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sacramento, Calif. 2-6</td>
<td>Statistically significantly greater gains on three of ten tests and greater gains on six more for desegregated.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Several studies of other cities involved in busing have found that when racial mixing was put into effect, achievement of black students rose while the average achievement of white students was not lowered. These cities were: Berkeley (Melville, 1970), San Diego (Kellner, 1970), Riverside, Denver (Purl, 1969), Louisville (Stallings, 1959), and Shaker Heights (Thomas, 1972), Ohio.

Berkeley, California Study

Berkeley, California, in 1968, was the nation's first city of more than 100,000 with a significant black population to completely desegregate schools by busing. Berkeley's busing plan was voluntary,
but not without opposition. Surveys showed that the Berkeley program was opposed by more than half of the community in 1968.

Berkeley is considered an attractive place to live, both by its white and most of its black population; surrounding areas are correspondingly less desirable as alternative places to live. Undoubtedly, this was a factor--though its importance can be exaggerated--in explaining the community's willingness to accept quality integrated education rather than to move to other communities. Unlike other urban areas where many children of professional families attend private and parochial schools, and where this alternative exists as an "escape hatch" for parents opposing desegregated education, relatively few Berkeley families send their children to them.

But does Berkeley's experience with school desegregation have any relevance for other communities? Is the city unique in the liberalizing presence of the University, in its generally well educated population, in its attractiveness as a residential community, in its well organized black community, and in the frequency of interaction and contact between blacks and whites which existed prior to any desegregation attempts?

The question can be answered in part by looking at the evidence which indicates that Berkeley has frequently deviated from its reported liberal posture. In recent years, for example, Berkeley's voters rejected a "fair housing" ordinance, and have consistently supported conservative candidates. Between 1924 and 1962, Berkeley citizens voted against two of six levy increase requests and defeated fifteen out of eighteen bond issues. Most pertinent to this
discussion, however, is the fact that desegregation of the schools was resisted at each step by a substantial and well organized group of Berkeley citizens.

Keith Melville (1970), program analyst of the Berkeley School Desegregation Plan states, "If Berkeley is unusual in any respect, it is in possessing a large number of active and politically experienced groups representing nearly every segment of the political spectrum, and having a substantial number of citizens interested enough in the public schools to make enormous investments of time in citizens' committees which advised the school system. It appears that forceful leadership in promoting desegregation was a more important factor in explaining its success than any unique way in which Berkeley may differ from most middle-sized cities across the country."

There is no simple criterion by which the Berkeley plan can be judged. The main objective was to maintain quality education in an integrated setting. Some of the other goals were: to increase acceptance among students of racial and cultural differences; to encourage more positive attitudes among parents about people of different races; to encourage teachers to have equal and appropriately high expectations of both black and white students; and, as a consequence, to bolster the self-esteem and achievement level of many black students.

**Portrait of the school system.** The racial composition of Berkeley is reflected in its schools. In 1968, a student racial census indicated that the public school system served 7,710 Caucasians
(49.6%); 6,665 blacks (42.8%); and 1,167 Orientals (7.5%). Here, as in the community as a whole, there was a pattern of racial stability, which suggested the possibility of racial balance for the school system. Berkeley's 15,561 students attended sixteen elementary schools (enrollment: 8,717 students); and two junior high schools (serving grades seven and eight), the "west campus" of Berkeley High School, and Berkeley High School, the centrally located high school campus which served all neighborhoods of the community. (The total secondary enrollment was 6,844). Although six of the elementary school buildings were more than forty years old, facilities were generally adequate; the per-pupil expenditure in 1967-1968 was $988.43 which is relatively high in comparison with state and national figures. The school system is run by an elected five-member school board.

The pattern of de facto segregation. If Berkeley was generally well served by its schools prior to 1968, it nevertheless very conspicuously manifested a pattern of de facto segregation in its elementary schools. The tradition of neighborhood elementary schools was reinforced by a hiring policy, discontinued in 1959, which generally attempted to match the ethnicity of teachers and students. In 1967, only three of the elementary schools reflected the racial composition of the city. The polar extremes of the de facto segregation pattern in Berkeley were illustrated by the racial composition of the Lincoln School, where 97.4 percent of the students were black, and the Oxford School, where ninety-three percent of the students were white.

In the spring of 1967, the performance of students in grades one through six on the "paragraph-meaning" section of the Stanford
Achievement Test was compared by school and race. Socioeconomic levels and student achievement scores were grouped into low, middle, and high thirds. The major conclusion to be derived from an analysis of these data substantiated a pattern of performance documented in dozens of other cities: black students' test scores were markedly lower than whites. More than half of Berkeley's black elementary students were in the low achievement group; this percentage was about four times greater than the percentage for white and other non-white groups. In contrast, about seven times the proportion of white and other non-whites scored in the highest achievement group compared to the performance of black students. These data also showed a pattern of significantly higher achievement for black students in the naturally integrated schools as compared to the predominantly black schools. In these predominantly black schools, 66.2 percent of the black students were achieving in the lower third; in the integrated schools, only 43.3 percent of the black students had scores in the lowest third.

This pattern of de facto segregation in Berkeley's elementary schools represented a problem which the community decided to confront by adopting its desegregation strategy.

General objectives of the Berkeley Plan. The Berkeley Plan is more than a redefinition of attendance zones, or a new plan for mixing children in different proportions in each of the elementary schools. Despite the fact that busing is its most publicized aspect, it is more than just a plan for student transportation.

Its most general objective is to create in each classroom a
microcosm of the community as a whole. This means heterogeneous grouping understood in its broadest sense. If residential segregation in the community was one factor which perpetuated de facto segregation in Berkeley, homogeneous grouping within the schools was another. The intent of the Berkeley program has been to deal with both. One of the principles of educational philosophy maintains that the school can provide quality education in a classroom reflecting not only the racial and economic composition of the community as a whole, but also a wide range of academic achievement. The plan presupposes a commitment not only to academic excellence, but also to cultural pluralism, to the importance of understanding cultural characteristics and values other than one's own. It also reflects a commitment to an equitable sharing of the burdens of integration.

One plan was suggested which would have eliminated the West Berkeley schools, and the predominantly black students would have been bused across town to expanded facilities in the East Berkeley schools. This plan for one-way busing, like a plan for voluntary busing, was rejected in favor of a more impartial plan of two-way busing. That both blacks and whites would share the burdens of transportation was a policy decision, but the plan's logistics, including decisions about who would attend school where, were decided only after a complex planning procedure.

In order to systematically identify every elementary student in the city not only by his street address, race, and grade level, but also by his school achievement characteristics, a census deck of IBM cards was compiled. This information was then recorded on a
series of demographic transparencies representing the whole city. Using the transparency for each grade level, it was then possible to visualize the patterns of residence throughout the community, identifying the students according to their race and grade level. These data were compared with a table illustrating the city's socioeconomic divisions, which had been relatively stable over a thirty-year period. Then, taking into consideration socioeconomic distribution, racial composition, and the city's relative demographic stability, it was determined that racial balance could be achieved by redefining school boundaries.

As a result, Berkeley now contained four elementary-level attendance zones in marked contrast to its former pattern of neighborhood schools. Within each of these zones, there was one intermediate school serving grades 4-6, and either two, three, or four primary schools serving K-3. Each of the zone areas had roughly the same student enrollment. The plan specified that K-3 students living in the area surrounding each K-3 school, would continue to attend that school, while the K-3 students living in the area surrounding the 4-6 school would be distributed among the K-3 schools in the zone. Consequently, each of the K-3 schools consisted of students residing in two geographic areas within the same zone. Each of the zones was divided so the areas paired in this manner produced an integrated student population.

The busing service. The Berkeley attendance zone plan, coupled with K-3 and 4-6 student grouping, required extensive busing. According to the California State Code, school systems are
reimbursed for the transportation of K-3 students who live farther than three-quarters of a mile from the school, and for students in grades 4-6 who live more than one mile from school. Hence, approximately 3,500 of Berkeley's 8,717 elementary students were bused daily. The average length of their bus trip was fifteen minutes in each direction; routes and zones were planned so no student would be required to ride longer than thirty minutes. A rotation system was used which allowed the first children in the bus in the morning to be the first off the bus in the afternoon, and vice versa.

The system's Office of Transportation was responsible for defining routes and designating bus stops as well as making contracts for bus services. In cooperation with the city safety engineer, the city Police Department, the California Highway Patrol, and the bus transportation contractor--contracting allowed the school system to avoid the capital outlay for new equipment--the district's Transportation Director designed maps to determine which students would walk to school and those who would ride. Next, bus routes were drawn; in most cases, stops were not more than two or three blocks from each student's home. To determine exact time schedules and to anticipate route problems, test runs were made on each of the designated routes.

To reduce operating expenses, the Transportation Office recommended a staggered school schedule. Students in the 4-6 schools in West Berkeley began their school day thirty minutes before K-3 students in East Berkeley. Therefore, each bus had to make a two-way run. Another problem was to devise a bus schedule which
permitted children to participate in after-school activities at their school. Buses were provided to transport children who wished to remain for after-school games, clubs, or other activities, or to visit at friends' homes. Maps of bus stops and schedules were distributed before each school year for the convenience of parents and students.

For the first few days of each school year, college students and mothers acted as bus aides to assist the drivers. Although the most common problem was the difficulty students had in locating the bus for the return trip from school, bus aides also helped in supervising student behavior and in dealing with problem situations that might have diverted the bus driver's attention.

Teachers cooperated with the program by assisting the younger children in locating the appropriate buses, and by holding classroom discussions about behavior on buses. In addition, the schools distributed a popular pamphlet which illustrated bus safety rules in comic strip form.

Berkeley Superintendent Neil Sullivan (1968) noted, "When plans for elementary desegregation were first discussed, the primary concern of parents related to the logistics of the busing program, its safety, and convenience. But, as planning continued and the transportation problems were solved, the focus was less on busing itself and more on what takes place at the end of the bus ride."

The K-3, 4-6 plan contains several disadvantages. In many situations, the plan forced parents to travel further for school activities than they had to previously; but since most families were accustomed to even longer travel distances for other purposes, this was
judged to be a relatively minor problem. In some cases, where children from the same family attend two elementary schools, additional complications were created for the parents affected. In addition, the K-3, 4-6 plan posed another problem; since most male teachers were at the 4-6 level, an attempt was made to retain some males at the K-3 schools by the scheduling of specialists in these schools.

**Evaluation of the Berkeley program.** Although some of the effects of the Berkeley plan are readily observable, others are difficult to observe and impossible to measure without the help of comprehensive surveys and extensive analyses of testing results. The comprehensive survey and continued evaluation of the effects of de-segregation was aborted in its early stages.

One evaluation exists, made upon the assessment of change made by parents. The parental concern about the logistics and safety of two-way bus trips for 3,500 students each day was misplaced. Because of stringent state regulations for school bus equipment and elaborate procedures which ensure the safety of the children and the community, the accident rate in buses is much lower than for walking, riding a bicycle, or riding in the family car to school.

The main objective of the Berkeley plan, however, was to end de facto segregation in the elementary schools and to produce in each classroom a racial balance mirroring, as closely as possible, the racial composition of the whole community. This has been accomplished. For the school year 1968-1969, no elementary school had fewer than 36.5 percent blacks, while none had more than 49.4
This was accomplished with none of the effects which the critics of busing predicted, such as a white exodus from the schools and community, massive teacher turnover, and the diminution of community support for the schools.

While many critics have agreed that it is not the job of the schools to cure social ills, Berkeley has demonstrated that it does not see education in such a narrow context. There are more multi-ethnic friends among students and parents than ever before, with greater enthusiasm for dealing with other community problems which the city-wide segregation had created. Some of the more significant psychological findings will be discussed in Chapter 6.

Kalamazoo Desegregation Study

In Kalamazoo, where blacks comprise less than twenty percent of the 18,000 public school pupils, the school board instituted an integration plank in 1968. But before the major increment was to take effect, in 1971, two new antibusing members were elected to the board, tipping the balance so the board withdrew the plan. The NAACP went into Federal Court and, on the basis of the board's findings, easily proved deliberate segregation and had the plan reinstated.

The consequence of residential segregation for the racial composition in the public schools is quite clear since school attendance in Kalamazoo was based on residence. In 1945, for example, Negro children were enrolled in all the public schools in
Kalamazoo, although the number ranged from one each at two suburban schools, to 175 at Lincoln Elementary and Junior High School, where the concentration of Negroes was the greatest (seventeen percent). By 1959, with a total of thirty-five schools in the district, ninety-four percent of all Negro elementary and junior high school students attended just six schools. Lincoln School had become eighty-five to ninety-five percent Negro.

In the spring of 1963, the Kalamazoo board of education appointed a citizens' committee to study the educational housing needs of the Kalamazoo public school system. Following their investigation, this committee recommended, among other things, that the junior high school program at Lincoln be discontinued and that students be transferred to adjacent junior high schools where space was available.

Although it was not mentioned in the official documents regarding the discontinuance of the junior high program at Lincoln, the racial composition of the school played a large part in the decision. As a leading member of the study committee acknowledged privately (Pease, 1968):

"The fact that Lincoln was a segregated school was in the minds of all of us. We saw here an opportunity to provide a more efficient school program and at the same time, to "nip segregation in the bud."

The decision to end the junior high program at Lincoln school did not meet with universal approval. Initially, some of the teachers and some social workers in the area, most of them Negroes, were opposed to the plan. The "paternalism of the power structure" appeared to be at the base of their displeasure. According to one Negro leader:
They don't understand that you do with, not for. They always call us up, very politely, and inform us what they are going to do for us. There's never any discussion. Sure, they always have some Negroes on their committees, but they always pick those who won't rock the boat.

A few Negro families did not support the new plan, but most of the community leaders, both white and Negro, were convinced that the phasing-out of Lincoln was the only thing the school board could do.

Nevertheless, the change had imposed a number of hardships upon some of the Negro students and their families. First of all, since cafeteria facilities were not provided at Lincoln, it meant that the children usually went home for lunch. With the move to a junior high outside the neighborhood, they would have to take their lunches to school. At just thirty cents a day, this would mean $1.50 per week per child. There was also the added necessity of riding the local bus with its cost of fifteen cents for a one-way ride. This meant a total of three dollars per week per child among the families who had the lowest average annual income.

Some of the Lincoln Elementary area residents thought that the school system should have provided free transportation for students, but the Kalamazoo system was not a busing system, and according to a school official, if they provided transportation for some of the students, they would have to provide transportation for all students, and the operating funds were not adequate.

Some people thought that the difficulties regarding the need for extra money and transportation were the proper responsibility of the Negro parents themselves, and that had they wanted to, they could
have solved the problem.

A number of people indicated that "some of the parents didn't want their kids to compete with whites." Another, more prevalent concern was that although the formal educational opportunities would be improved by transferring the students, the net result might be a less meaningful educational experience because of a change in the opportunity to participate in extra-curricular activities. Negro and white teachers who had taught or were teaching in schools which were more than five percent Negro, reported that the junior high school change had meant that Negro students did, in fact, participate less in non-academic events, with the possible exception of the participation of boys in sports events. They also indicated that a few students whose parents had cars participated more in activities like the science club, but for the most part, they had less chance than they did at Lincoln to be in the social affairs of their schools. Since the public bus was available to provide transportation immediately after school but was not available when other events ended at a later hour, social activities held at night and on weekends presented special difficulties for Negro students.

Size was another factor which contributed to the more limited social participation of Negro students in the "new" junior high schools. Lincoln Junior High had an enrollment of approximately three hundred students, whereas the school which most of the students from Lincoln were moved to had an enrollment of approximately one thousand students.

One parent who was against the move noted that the main
basis of his objection was the change in the teaching staff:

At Lincoln many parents knew several of the teachers on a personal basis and the teachers would go out of their way to let you know how Johnny was doing. If your kid wasn't doing his work, the teacher would stop around the house and let you know.

Although most of the teaching staff of Lincoln Junior High "transferred" to the same schools as the students, most of the staff at the three schools where students from Lincoln Elementary attended junior high school were not only new to the students, but also to the parents. Moreover, the parents viewed the teaching faculty at these "new" schools as predominantly white, middle-class, and insensitive to the problems of their children, if not outright prejudiced. Another parent remarked:

The teachers at Lincoln knew the parents and spent time outside of school hours visiting families and trying to encourage the kids. The parents knew the teachers and felt easy dealing with them. Negro teachers did more than just teach.

Most of the community residents viewed the termination of the junior high program at Lincoln School as a "positive step in the right direction." The upper and middle classes saw it as a conscious attempt to end de facto segregation. Several people emphasized the positive effect the change had had on the elementary program at Lincoln in terms of increased space, lack of competition for the playground area, etc. Others referred to the fact that these students from low-income families were being exposed to the larger community for the first time. Similarly, the change had also exposed some teachers to the larger community. One Negro teacher commented that when the school administration first announced that
the Lincoln students would attend other junior high schools, there was much anxiety and discussion among the teaching staff at one of the junior high schools where the teachers had not had very much experience with Negroes as students:

There was real panic out there. So they had a few of us go out and give a short talk under the guise of talking about the students, although it turned out to be a discussion of the teacher's attitudes and feelings—which is what it should have been in the first place. Anytime a middle-class-oriented person teaches a lower-class student, there is a real need for an orientation program.

Most white community leaders and some of the Negro leaders point to the discontinuance of the junior high program at Lincoln as another indication of the school system's commitment to provide an equal education for all students. This move toward desegregation was not, they emphasize, requested by the parents, the teachers, or any civil rights organization, but was voluntarily initiated by the school administration.

When the school board presented plans for the new high school, there was considerable community discussion regarding the site. Some members of the Negro Community thought that the site was selected deliberately to exclude Negro students. Other residents pointed out that the site of the new school was in a relatively undeveloped area and, in fact, excluded everyone. It seems that the school system wanted to build a campus-type school and owned the property which, incidentally, was outside both the city limit and the school district. The campus-type school requires considerable space, and since the land was available in an area where much of the community's growth had been, it was selected. In 1968, a citizen's
committee investigated the need and possible site for a third high school. It was the consensus of the community leaders that the site for the next high school would more than likely be in the western part of the city, which meant that following the pattern of residential segregation, the new high school would be a facility for only white students.

Most of Kalamazoo's residents, both white and Negro, were not especially concerned about the segregation at Lincoln Elementary School. One white community leader who has long been active in the fight against discrimination expressed the position of many when he said (Pease, 1968):

If you can end de facto segregation and improve the quality of education, then I'm all for it. If, on the other hand, you end de facto segregation and the quality of education isn't improved, then I lose my enthusiasm.

He and many of his neighbors were of the opinion that the former was not very likely. They were quick to point out that the school administration had successfully lowered the student-teacher ratio at the school and that they were continually spending money, time, and energy to maintain high standards there. In 1968, the school system spent between three and four hundred thousand dollars of federal funds, with most of the money used to improve the quality of education at schools with high proportions of the student body from low-income families, and in Kalamazoo that means schools with high Negro enrollments.

One aspect of the desegregation problem in Kalamazoo that tended to confuse the issue, was the involvement of the community organizations—like the League of Women Voters, the Board of
Community Relations, the Human Relations Council, the Big Brothers, the Jaycees, and others—to end discrimination in all phases of community life. According to John Pease (1968):

These organizations have worked hard in the past to eliminate discrimination. Even if they are necessary for the elimination of discrimination, they are not enough. In fact, for the most part, these organizations tend to be token affairs at best. Rather than changing the community patterns of segregation, they tend to solidify the status quo by acting as escape routes for the "white man's guilt and the black man's shame." They tend to discourage support from spontaneous grass-roots attempts to address the problems effectively because their very existence suggests that "something is already being done."

These organizations serve as means for the community leaders to control the situation since they acknowledge the legitimacy of conventional middle-class processes of social change. And they are all incapable of making any consequential alteration in the situation because, if nothing else, they lack the intellectual radicalism to see the problem as a complex, many-sided one. They all persistently view the problem in the narrow paternalistic perspective which defines the problem as "The Negro Problem."

The changes which have occurred in employment patterns and in housing have come about as the result of overt acts (picketing and filing of complaints) by members of Kalamazoo's Negro community. Until these pressures were brought, the whites had gone on for years believing that "our" Negroes were well treated and had no major complaints. The uproar arising from Negro demands illustrates how complacent the white community has been.

It was this pressure from the black community that forced the school board to reevaluate their desegregation policies. That, coupled with the direction of the Supreme Court rulings, led the board to adopt plans for complete student desegregation. This would have provided two-way busing—a new, expensive, but mandatory factor in the Kalamazoo desegregation plan.

Public sentiment ran high, and when two new antibusing members were elected to the board, it was not difficult to rescind
the plan of the previous board.

In 1971, the NAACP filed suit in district court (Pressman, 1972). The court held the rescission violative of the Fourteenth Amendment and entered a preliminary injunction requiring the system to implement its plan for the 1971-1972 school year.

A Comparison of the Berkeley and Kalamazoo Plans

Berkeley and Kalamazoo were chosen for this comparison of the ways communities have handled the problems of desegregation because they are both middle-sized cities with marked similarities.

Kalamazoo, with a population of 115,000, is an industrial and commercial center and the seat of Kalamazoo College (Baptist), Nazareth College (Roman Catholic women), and the state supported Western Michigan University. Berkeley has a population of 112,000, and is a suburban, educational, and light industrial center. Its educational centers are the prestigious University of California and several divinity schools. Berkeley, as a result of its being a suburban city, is a more selective city than Kalamazoo. Berkeley has a higher proportion of professional people whose social values are more congruent. The University exerts a great impact on the community.

Kalamazoo contains a broader spectrum of all occupational classes, and the smaller colleges are more isolated from community affairs. In the mid-1950's, Kalamazoo was presented with awards for being "one of the twenty most desirable residential cities" in the country.

In the area of school desegregation, the similarities begin to fade. Berkeley represents one of the few communities in the country to have been successful in its handling of the problem, while
Kalamazoo finds itself among many other cities of the nation where, while they have totally failed in their desegregation attempts, have found themselves entangled in lawsuits, violence, polarization of their citizens, and loss of much community support as more middle-class whites move out of the city.

One significant difference appears to lie in the kind of leadership in the schools and the communities. The community of Berkeley decided to desegregate their schools (Melville, 1970). And they wanted to have a superintendent who was committed to integration. A citizen's committee searched the country and interviewed many men before deciding to hire Neil Sullivan, the man who had led the fight to desegregate the schools of Prince Edward County, Virginia. (This was one of the situations that led to the Brown decision in 1954). After Mr. Sullivan arrived in Berkeley, he drew on the resources within his system to draw up a plan which he could then present to the community for acceptance and support. People from all parts of the community became involved in seeing that the desegregation plan worked. The Berkeley Plan had foreseen many of the problems that would arise and this gave the children, parents, and teachers a greater sense of security. As one Berkeley teacher stated: "At first, I was sure this busing thing would never work. It seemed to be too big a change in the way we had always done things. But it is working, and working without all those problems I worried about."

The leadership of the Kalamazoo school system was more willing to follow the consensus of opinion among certain community
leaders. Both the leaders in the schools and community were less willing to admit that the traditional way of operating the schools of Kalamazoo might have been creating less-than-equal education for the black students. The problem of facing the issue was left to the Negro community itself and forced the citizens into warring camps without strong leaders to show them the way. With the lawsuits and uncertainties resulting from the delays, it will be many years before Kalamazoo will catch up to Berkeley in effecting desegregation in its schools.

Riverside, California Plan

The actual confrontation and ultimate decision to desegregate the Riverside Unified School District occurred in the fall of 1965 with the opening of school. The beginning was approximately two weeks after the Watts riots in Los Angeles. Emotion was high in the general area, but polarization on some of the issues of desegregation had not occurred to the level that now existed in many communities. Riverside moved fast. The lapse of time between the actual confrontation between community and Board, and the full Board commitment to a complete plan of action was not more than six weeks (Berry, 1971).

The commitment of each member of the Board of Education and the Superintendent of Schools, in both concept of desegregation and the specifics of the plan, was clear, firm, and united. This top-level commitment left no question about the fact that desegregation was going to occur. Some of the details of the "how" remained open for further analysis and study.
The Riverside Unified School District consisted of twenty-four elementary schools, five junior high schools, three high schools, a continuation school, adult education school, and two special schools. The enrollment of the district was in excess of 28,000.

Growth was rapid following 1950. However, such growth virtually ceased in 1970.

In 1965, the enrollment was about fourteen percent Mexican-Americans, eight percent Black Americans, and another one percent of the students had Oriental or American Indian ancestry. The Negro and Mexican-American families lived in two semi-segregated housing areas of the city. Many of the Mexican-American families had been long-time Riverside residents, dating to the early history of the citrus industry of the area. A high percentage of the black families came to the area after World War II, with many associated with the Air Force or with the growing electronics industrial development. Their overall educational attainment level was comparatively high.

Riverside, both as a city and as a school district, had enjoyed remarkable stability and success in past decades. One form of stability can be indicated by the fact that the school system had only three superintendents in the first sixty years of this century.

In more recent years, changes in the educational process began to parallel the acceleration of the community and societal changes. Riverside examined segregation and its educational effects and desegregated its schools in 1965—the first in the Nation to do so.

The Riverside plan for desegregation involved busing minority children from three de facto segregated schools to eleven
"receiving" schools. As the busing program moved smoothly, integration very quickly ceased to become a broad, primary goal of the system. Instead, it became a very effective trigger for a re-examination of the entire educational system from top to bottom.

When the school desegregation effort began in Riverside in 1965, a team of scientists from the University of California campus in Riverside proposed a massive research program. A research team was formed, made up of representatives of sociology, psychology, and education departments at the University and staff members from the district. Since that time, very extensive studies have been instituted. Some of these studies are:

1. Where there has been true school change toward personalization of instruction, there appears to be significant impact on both attitude toward school and achievement among all groups (Carlson, 1968).

2. Desegregation, by itself, does not bring about significant changes in achievement—either up or down. There appears to be some advance in achievement for those children who were integrated prior to second grade (Purl, 1968).

3. There seems to be a definite "taking the lid off" for those minority children who tended to be high achievers and who had good attitudes about the educational process. In other words, there has been an extension of the range of achievement for those youngsters (Dawson, 1969).

Research has been an important facet of the entire desegregation-integration effort in Riverside. However, most of such
research does not get at the important elements of day-to-day operation of a large school system with its thousands of human inter-relationships and resulting decisions. Within the next few years, Riverside hopes to report and exchange more of this kind of experience and information (Berry, 1971).
Chapter 5

SOME PSYCHOLOGICAL IMPLICATIONS
OF BUSING

Busing is neither new nor rare in this country. Children ride buses every day, usually with the enthusiastic support of their parents, their community, and their state and federal governments. That this once happy occurrence should become so fraught with fear, anger, and misunderstanding, requires a closer examination of what busing has come to represent, and the psychological implications connected with it. It is necessary for educators to carefully examine the programs of busing for desegregation to determine whether it is achieving the goals set for them, or if actual harm to the children and community is being done. It is necessary for parents to examine as objectively as they can, their feelings about the busing program that affects their child. And it is necessary for community leaders to examine whether they have given active support for integration, have been indifferent, or have actively opposed such action.

Racial segregation in schools is part of an institutional complex. The establishment and maintenance of a system of segregated educational facilities depends upon segregation not only of pupils, but of teachers, administrators, politicians, worshipers, and
Negro parents. Segregated education depends upon and feeds upon segregated churches, segregated businessmen, segregated recreational facilities, and segregated neighborhoods. Segregated education, in turn, reinforces segregation in churches, barber shops, parks, banks, and city halls.

Busing has come to represent what Raymond Mack (1968) calls "a children's crusade." He states:

In America, we have deemed desegregation too difficult a social process to be dealt with by realtors, bankers, clergymen, and community leaders. We have assigned the task to children.

Children have been sent from the deprived minority background of segregated schools to cope with the process of desegregation in an environment often too hostile to be conducive to education.

Because busing represents a mandated "crusade" rather than a voluntary one, a pattern of fears and myths has become fixed in the minds of the public, making it hard to sort out the facts and determine what is true and what is false. In the publication "Your Child and Busing" (U.S. Commission on Civil Rights, 1972), a list of the most frequent fears of parents concerning busing was presented. The fears and the Commission's response were as follows:

1. A child has a right to attend "neighborhood" schools . . . The educational trend in recent years has been away from the neighborhood school, whose facilities are necessarily limited by size, toward larger schools which can provide better facilities and a broader curriculum. The neighborhood school was not sacred in the days of segregation, and there is no reason why it should be today. To make the neighborhood school the cornerstone of American education would be to turn the clock back educationally as well as . . .
Socially.

2. Busing puts a child out of reach of his parents or neighbors when school illnesses and injuries occur... This is a fear that seems to bother many parents more than it should. Children do have accidents and get sick at school, but not very often. If the matter is serious, school authorities are capable of seeing that the child gets immediate attention. Some schools employ full-time nurses, or at least, have first-aid facilities and equipment and faculty members with health and first-aid training. There is always transportation available to take a sick child home. The concern is one that undoubtedly has passed through the minds of millions of parents whose children have been bused all along for reasons having nothing to do with desegregation. Yet the concern has not been serious enough to block such bus-related educational developments as consolidation, often requested and ardently supported by parents. It can hardly now pose a danger of major proportions for the relatively small percentage of children who are bused for desegregation purposes.

3. Buses aren't safe... That children who ride buses are safer than children who walk was supported by a six-year report compiled by the Pennsylvania Department of Education. The report found bus riding three times safer than walking—one accident for every 280 pupils who walked to school, against one for every 898 who rode to school on a bus.

4. Fights and racial clashes occur on buses and in the desegregated schools. Scuffling, bullying, and other childish
behavior have always been a part of growing up and always will be. It occurs wherever children gather—at home, at school, on playgrounds, at school, and on the way to and from school, whether the trip is on foot or by bus.

As far back as 1939, educators were trying to decide if busing causes an increase in disciplinary problems. The conclusion was that it does not.

School disorders are indeed a problem. But the fact that disorders occurred at schools and on buses before they were desegregated indicates that such incidents are not uniquely connected with busing for desegregation. Moreover, there is reason to believe that some incidents are given overblown attention—in and out of the press—if they somehow can be connected with the controversial issue of busing. Some incidents that otherwise would not even be reported are suddenly "racial" incidents.

5. Busing forces children to spend long hours away from home, thereby taking away play and study time. The facts do not support this result as being a natural and usual consequence of busing. Indeed, in the South, the reverse can and does happen. Desegregation actually can cause many children to spend less time on the bus. This is because they are no longer bused past one segregated school to get to another; hence the trip is shorter.

Of eleven cities surveyed recently by the Center for National Policy Review, the length of the average trip had been increased by more than fifteen minutes in only two. In six cities, the average trip remained exactly the same before and after court-ordered
desegregation.

6. Minority Americans are just as opposed to busing as majority Americans. It is true that many minority Americans are apprehensive about desegregation, but rarely because it would mean a bus ride for their children. They have more solid reasons. At times they oppose desegregation, and not without cause. Minority schools have been closed in carrying out desegregation plans while previously white schools have remained in use. Often it has been the minority senior high school that has been converted to a desegregated junior high school. Some black principals and teachers have lost their jobs or have been demoted.

Minority Americans have another concern about desegregation. They fear that their children could be abused and mistreated in a predominantly white school and swallowed up in the dominant white atmosphere. They remember taunts and threats from Little Rock onward. Some minority parents feel that their children, therefore, would be better off in an improved school serving their own group.

More concretely, minority Americans have long known, as the Supreme Court stated in 1954, that "separate educational facilities are inherently unequal." As one black leader put it recently, the only way to make sure that black Americans receive an equal educational opportunity is to put them into the same classrooms with whites. And in a letter to a Washington newspaper, a black parent from North Carolina gave her own testimony:
Within one month, the parents of the white children who were bused managed to get the black school painted, repairs made, new electric typewriters and sewing machines, and the shelves filled with books... I contend that busing for one year will upgrade all our schools quicker than anything the President or Congress can do.

7. Busing is too expensive. To be sure, a school bus is not an inexpensive item. The average school bus costs $8,500. However, pupil transportation is a relatively small part of the Nation's education budget. In 1933, the expenditure for pupil transportation was 3.5 percent of the cost of operating public schools. In 1969-1970, it was 3.6 percent. Past legislation has made federal funds available to help districts buy buses, and this seems the logical answer to the initial burden of acquiring buses.

8. Instead of busing, we should spend the money on education. This issue is at the heart of the busing debate. Some argue that learning can best be advanced in desegregated schools; others argue that learning can best be advanced by leaving children in segregated neighborhood schools and pumping catch-up funds for compensatory education into schools serving low-income areas.

In the thick of the debate is a massive 1966 Federal study called the "Coleman Report." The Coleman Report found that minority children from low-income families learn faster when there is racial and economic integration of classrooms. The report said family background is, by far, the most important factor in a child's education, but an integrated classroom can accelerate learning.

Other studies have found that minority students do better in integrated classrooms. A 1968 report said the evidence "is quite conclusive; i.e., integrated minority pupils recorded higher
achievement gains than segregated minority pupils." Said another report: "Several studies, which compared disadvantaged Negroes in traditional compensatory education programs with Negro students transferred to majority white schools, showed integration to be superior."

The issue is not integration versus compensatory education, but whether catch-up programs can work by themselves. In 1967 the Commission on Civil Rights evaluated compensatory education programs in isolated schools in large cities and concluded that the data did not show lasting gains in achievement. Berkeley, California found that compensatory education in racially isolated schools was not closing the education gap, so Berkeley coupled compensatory education with an integration program accomplished through busing. Results to date in Berkeley show advanced achievement by both white and minority students.

9. Busing prevents students from taking part in extracurricular activities. Districts undertaking desegregation through busing commonly have provided what is known as an "activity" bus which is scheduled so that it doesn't leave until late, an hour or so after school ends for the day. Thus, there is late bus service available to take students home after football and basketball practice, play rehearsals, band practice, track meets, chorus rehearsals, club meetings, and so on.

10. Busing would carry children into dangerous neighborhoods where drugs, crime, and violence are commonplace. The problem of safeguarding children from crime and violence is a very
real one, but it has nothing to do with busing. If a neighborhood in which a school is located poses a threat to school children, the school should be closed and the children should be sent to another school. If school and municipal authorities cannot make certain that a school is safe, no child should be made to attend it, whether he walks to school or gets there by bus.

In short, the answer to the very real problem of danger to school children does not lie in stopping the busing of some, but in taking steps to assure that all children can attend school in safety.

11. Busing penalizes white students by setting them back until other pupils "catch up." No study supports this statement. On the other hand, a number of studies have found that white pupils have either gained or stayed at about the same level after integration.

Berkeley, California and Louisville, Kentucky found that both majority and minority pupils gained. Riverside, California and Denver, Colorado reported that the education of white children had not suffered. Evanston, Illinois found the same thing--adding that in the process, the community "has made considerable gains in the improvement of communications between races."

To experts inside and outside the field of education, desegregation is an essential part of quality education and segregation is educationally harmful to both minority and majority pupils. Dr. Michael J. Bakalis, Illinois State School Superintendent, put it this way in recent congressional testimony:

A high price is paid by any child, be he white or black, who goes through his entire school career without ever meeting a child or teacher of another racial or ethnic background . . . Segregated schools can only serve to
nurture prejudicial attitudes among the young and to divide us further as a people. A child who has been so isolated throughout his formative years is being educationally deprived.

12. It is not the job of the schools to cure social ills. Education is more than reading, writing, and arithmetic; education is preparation for life. Students need more than facts and problem-solving skills; they need to know how to lead full and useful lives in a complex world. In a nation made up of a variety of races and nationalities, that means learning how to live and work with people of different skin colors and cultural backgrounds.

The segregated classroom stands to millions of minority Americans as proof that majority Americans do not wish to surrender the separate but unequal educational advantage that is theirs from early childhood. The segregated classroom denies millions of majority Americans the opportunity to become acquainted with minority children whose future they share.

As can be seen in the above twelve fears of busing, some of the fears are based on realistic possibilities—such as the fear of violence in some of the inner city schools. That this situation is becoming more acute is revealed in the increase in shootings and stabbings in many of the minority schools in the large cities throughout the country. Aryeh Neier (Civil Liberties, December, 1972), feels that beyond the comparative complexity of today's forms of racial discrimination, there is the problem of the spirit of the black population. In the early 1960's, however bad the discrimination, there was a spirit of hope that things would get better. Neier feels that spirit has been severely damaged, if not crushed, by the actions
of the President and the Congress. In its current dispirited form, the black population of the urban ghettos is mired in problems of narcotics, crime and chronic poverty.

These problems dominate the image of the black population in the minds of the white population. That image makes white America all the more resistant to efforts to bring about equality in education.

Harold Jackson, an elementary art instructor in Pasadena, commented about the fears between blacks and whites (Popular Psychology, September, 1972):

Underneath the anxieties of the white parent lies the threat that their children will become "loose" by associating with blacks, who are emotionally, by and large, less inhibited than whites. They will be less conformist than their parents wish them to be. And this is a true fear for the whites being bused into our black schools with black peers. The black child has learned to respond emotionally with his body and voice, while the white has learned to respond verbally and intellectually, at the same time suppressing his emotions.

When you move from elementary to secondary school, the anxiety takes on unmistakably sexual overtones. You don't have to talk long with an overt bigot to elicit the opinion that interracial dating (and the attendant physical contact) is a highly undesirable state of affairs. And very little of it goes on--in fact, very little social contact of any kind goes on outside the classroom.

One of the reasons that there is distance between the races in the secondary schools, according to Schwab and Engel in the above-mentioned article, is that teenagers of all races have already formed their racial biases by the time they become interested in the opposite sex or come into social contact with other races. Tremendous pressures not to mingle with the other races have been built up in them, not only from their parents, but from peers of the same race,
who in turn, have been pressured by their own parents. The authors continue:

However much it may seem that teenagers are in open rebellion against the beliefs of their parents, the fact is that teenagers' belief systems are very little different from those of their parents. The rebellion is against parental control. Repeated studies have shown that what teenagers really want (or at least say they want) is the independence or freedom to implement their own ideas. But when you give attitude tests to teenagers and their parents, you find a high correlation between the set of beliefs.

Until recently, white parents had an ally in the neighborhood school when it came to racial matters. Since the white child has typically gone to school exclusively with other white children, there was no opportunity and no evidence to challenge the parents' biases. But if the child experiences true integration of the races from an early age and accepts it as normal, then bigoted opinions from his parents can only serve to open a schism between the two belief systems. To assume that parents do not know this on a very overt, cognitive level is also to assume there is more stupidity and ignorance among the white middle class than that group deserves.

One person who is involved in trying to help parents face their real fears is Ernest Ruch (Popular Psychology, September, 1972), a counselor for the Pasadena City Schools. Ruch states that the fear is not that their child will be harmed, physically or psychologically, or that the quality of education will go down. "What they fear is that the child will wind up doing something the parents cannot accept, such as bringing home a spouse of another race or ethnic group," said Ruch. "When the child is six or seven that seems like a remote and silly thing to worry about. Nevertheless, they suspect integration is going to affect their children if it reaches them young enough, and the children are going to grow up with some substantially different feelings about black and brown people than those of the parents. It seems that parents have a tendency to want their children
To the question of children's fears, several professionals qualified to speak about human emotions, gave divergent opinions. Len Harris (Popular Psychology, September, 1972), a therapist at the Topanga Human Development Center in Los Angeles, said, "Intense fear and anxiety concerning the aggressiveness of minority group children, is bound to be experienced by the white, middle class child. Minority children tend to be louder and fight more easily than white children. Whites are not accustomed to venting their emotions in this way to this degree. It is very threatening to the white child. Also, in the older, more aware children, there is the fear of retaliation for all the bigotry practiced by their parents."

Donald Brown (Popular Psychology, September, 1972), a Los Angeles psychologist, said, "Busing breaks up the family unit, which at this point in time can't afford any meddling, and this must be very scary to the young child." While psychoanalyst Solon Samuels (Popular Psychology, 1972), said, "Busing has to put a tremendous strain on the family, which breeds a resentment against it, and thus it is doomed to fail. True integration has to begin at home, in parents' attitudes."

These views are different from those held by Eve Bonner Jones (Popular Psychology, 1972), a psychologist who teaches at Los Angeles City College. "I don't believe children are fearful of integration, especially the very young ones, and I can't conceive of any emotional harm that can come of it. It is the parents who pose the problem, and the dominant emotion is not fear, but anger. Whites
I have a vested interest in keeping other peoples inferior. With equal education possible, they can't fulfill this wish. It is very frustrating."

Robert Coles (Inequality in Education, March, 1972) sums up much of the controversy that diffuses the real issues in busing.

In a short article entitled "Does Busing Harm Children?" he states:

I speak as a child psychiatrist who has worked with black and white children in the South as well as the North, in rural as well as urban areas. I also speak as a physician who has been studying what happens to children when they attend desegregated schools, and in that connection, one who once spent over a year and, later, smaller amounts of time (weeks and months) riding with children on school buses as they went from their homes to newly integrated schools.

In this regard, it is possible for me to say a number of negative things, and I had best do so immediately: I never saw children get sick because they were bused; I never saw children become emotionally disturbed because they were bused. Physically, psychologically, educationally, the experience of busing was, in fact, neutral.

What mattered was where the children felt themselves going, where the parents felt the bus was taking their children (to what school, for what purpose) and also, very importantly, what went on in the bus. Was the driver friendly or cold? Did he talk with children or ignore them? Were there others aboard who pointed out and explained things to the children? Often enough this turns a bus ride into an important psychological and educational experience, in its own right; a different neighborhood looked at, talked about, comprehended in an altogether new way.

Busing is neither new nor rare in this country. Children ride buses every day, usually with the enthusiastic encouragement and support of their parents, their community, and no doubt, their elected Congressmen (not to mention the President). I have watched boys and girls day after day on those buses, black children and white children, and I have not been called upon to practice medicine or child psychiatry. I have not seen the children get sick, or disturbed, or apathetic. I have not seen violence or disorder. Nor have I often seen time wasted. The children have been awake, alert, vastly interested in what they see of their city (although children who never board a bus often find themselves bored when they sit in certain classrooms).
The issues of busing, I say from personal observations over a long period, is not a medical one. It is not per se a psychiatric one. It may well not even be an educational one (except that some parents actively seek out busing for their children—even pay to have them bused long distances to private schools). Busing, as a political issue, ought to be argued openly with everyone's cards on the table. It does not even help to talk about "time wasted busing." Children can and do learn all sorts of things on buses—and can and do fail to learn while sitting solidly in classroom chairs for hours on end.

I have no doubt that we will continue to hear about the "harm" busing does to children, and I can only hope that more clinical observers will go out and see for themselves whether such harm can be documented. I fear, however, that our clinical observations are not going to be heeded, that they are not really what people are waiting for or have any interest in.

Many other Americans are concerned about the issue of busing. Theodore M. Hesburgh (Journal of Negro Education, Summer, 1971) warns that as long as educators are willing to accept racial and economic segregation as the inevitable patterns of school attendance, we are then forced to accept an educational duality that has tragic implications for the country's future.

Mrs. Frankie M. Freeman a member of the U.S. Commission on Civil Rights (1970), states, "We are now on a collision course which may produce within our borders two alienated and unequal nations confronting each other across a widening gulf created by a dual educational system based on income and race."

We need strong leaders on the federal, state, and local levels who are committed to a lawful and humane interpretation of the Constitution. We need dedicated educators who can work through their own prejudices or the pressures from certain citizens in a community and make the schools places of learning for all children.
Black children and their parents know that the real issue is not massive busing to achieve an arbitrary racial balance. They know that the real issue is our willingness to accept integrated schools.
REFERENCES

Armor, D. J. Evidence on busing. The Public Interest, S 1972.


. Buses, votes and congressional committees. School Management, April, 1972, 16, 4-6.


Berry, R. Report to the board of education on the organization and direction of the district. Riverside, 1971.


