The Massachusetts Racial Imbalance Act: the administration of public policy at the state and local levels.

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THE MASSACHUSETTS RACIAL IMBALANCE ACT:
THE ADMINISTRATION OF PUBLIC POLICY AT THE
STATE AND LOCAL LEVELS

A Thesis Presented
by
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CHAPTER I
INTRODUCTION

In America, though it is traditional that the states assume the function of educating children, most of the funding and much of the control of the educational process has been carried on by local school districts. However, the inequities accompanying this situation have prompted Court decisions and then legislation which attempted to correct the social and economic disadvantages of such a system. The Supreme Court decision, Brown v. The Board of Education (1954), along with the Civil Rights legislation of the 1960's had an impact on education in local communities all over the United States.

The Massachusetts Racial Imbalance Act (1965) was similar legislation on a state level. It was designed to affect local school districts with policies developed on the state level. Primarily, it was intended to affect those districts which had racially imbalanced schools, and, in Massachusetts, this meant the larger, often older and poorer cities: Boston, Springfield, Fall River, New Bedford, Medford, and Cambridge.

This case study is an examination of the actions of the State Department of Education as it sought to implement the RIA in the city of Springfield. The bureaucracy at both the state and city levels is composed of three groups
which are responsible for the policy decisions emerging from the agency: The State Board or the School Committee, 2) the Commissioner or the Committee Chairman, 3) the professional staff on both levels.

This study focuses on the response of the Springfield educational bureaucracy to a law which not only required new programs and strategies but which also invoked new state powers of enforcement, representing to the local officials a significant departure from the traditional state/local relations in education.

In passing the Racial Imbalance Act, the Massachusetts State Legislature required the cities and towns to eliminate de facto segregation in their schools. Governor John A. Volpe signed it into law on August 18, 1965. Under the provisions of this law, enforcement rested with a state administrative bureaucracy: the Massachusetts Department of Education. Broad guidelines were included in the law, but particular policies and procedures were left to the discretion of the State Board of Education and the State Commissioner of Education.¹

The Educational Structure of the State

¹ The school boards on each level have the authority to hire the directors of the educational bureaucracy. The State Board has had two Commissioners since 1965: Dr. Owen B. Kiernan, 1957-1968, and Dr. Neil V. Sullivan, 1969-1972. The Springfield School Committee has had two Superintendents during the same period: Dr. T. Joseph McCook, 1959-1966, and Dr. John Deady, 1967-present. The School Committee has also had two Chairmen: Mayor Charles V. Ryan, Jr., 1962-1967 and Mayor Frank H. Freedman, 1968-present.
The State of Massachusetts has had a tradition of having a position of leadership in the field of public and private education. It has required since 1642, that all children be taught to read, and had developed this concept sufficiently so that by 1780 education in Massachusetts was similar to what is known today as "education of the whole child". In 1837, under the leadership of Horace Mann, Massachusetts established the first state department of education but the strong traditions of localism and privatism was a countervailing force to the development of strong educational leadership at the state level.

In the early 1960's, concern that the State had fallen far behind other states in the quality of its education prompted the Legislature to establish a Commission to study the educational system and to recommend changes. Many of the recommendations of this Willis-Harrington Commission were never implemented but some re-organization of the State Department of Education resulted. The State Board of Education was enlarged from nine to eleven members and given important new statuatory powers. The General Laws had given the Board advisory power over its school districts; under Chapter 572, Acts of 1965, they

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3 Ibid., p.7-9.

4 Ibid., p.3-6.

gained authority to withhold state funds from these districts.\(^6\)

Many of the present State Board members have served since the new Board was organized in 1966.\(^7\) Two of them had even served on the Board previous to its reorganization. The members are appointed by the Governor for five year terms which are staggered to provide continuity of membership. The State Board members take their obligation to enforce the law quite seriously.\(^8\) This is particularly evident in their support of the Racial Imbalance Law. Though some members have expressed private reservations about some aspects of the law, they clearly have accepted their duty to enforce it.\(^9\)

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6 Ibid., p. 5
7 See Appendix A, p. 73.
8 The extent to which Board members adopt "professional" roles is indicated in the following quotation: "None of the members interviewed were able to recall a case where the Board has not agreed with the recommendations of the Commissioner, staff and consultants." Harvard University, Center for Law and Education. A Study of the Massachusetts Racial Imbalance Act. Publication No. 6019. Cambridge: The University, 1972, p. 102, hereafter referred to as, The Harvard Report.
9 Ramona Corriveau, member, State Board of Education, 1971-present. Interview, March 7, 1972. Also, Mrs. Corriveau had stated in 1970: "I wonder if a law that involves only numbers is the thing we need in 1970. Specifically, there should be a blue-ribbon study on whether the law meets the educational need of children." Springfield Daily News. December 17, 1970. Apparently the Board felt this need also; it authorized such a study in late 1970, which was The Harvard Report, published in 1972.
The city of Springfield is the third largest in Massachusetts ranking after Worcester but because of its diverse economic and industrial base and its heterogeneous population it is more similar to Boston in composition. One of the oldest settlements in the state (1635) it has had a progressive educational system for many years. It was the first system in the country to institute a program of adult education (1851)\textsuperscript{10} and gained nation-wide attention in the late forties with the "Springfield Plan"\textsuperscript{11}, an educational approach to the development of understanding and respect for all religions, races, and cultures. The public school system had begun programs for educating handicapped children and bi-lingual classes for Puerto Rican children long before these were mandated by the State. It is considered an innovative, progressive system and its School Committee members are proud of its long tradition of excellence in education.\textsuperscript{12}

As Springfield began the decade of the sixties with conflicts over civil rights beginning to affect its school


system, it was just completing a period of building new schools and expanding old ones. It had just adopted a new Plan A city charter which established a seven-member School Committee, having as Chairman and as a voting member, the Mayor of the city. The six elected members run, three at a time, in each biennial municipal election for a four year term, thus providing some continuity of membership on this Committee. During the period of this case study (1965-1971) none of the members were defeated for re-election. Some have retired but the membership has been fairly stable during this period. The average term in years of service on the Committee is 8.2 years. The security in electoral success and the long service have contributed to an increasing sense of professionalism on the part of Committee members and an identification with the educators who administer the school system.

Background of the RIA

In June of 1963, the Springfield branch of the NAACP complained to the School Committee that there were racially imbalanced schools in the system. They claimed that there were eleven city schools which were predominantly Black. The School Committee established a study committee to

13 Eleven elementary, three junior high schools, five additions.
14 See Appendix B. p. 74.
investigate these claims. In August the committee reported that:

A racial concentration did exist in some city schools; that integrated education is desirable; and that the School Committee should act to eliminate the racial concentration.16

The School Committee voted to accept the report and also agreed with its findings. In September, the School Committee voted to prepare plans to solve this problem by March of 1964 but would not commit itself to a date of implementation.17

In January 1964, the NAACP brought suit against School Superintendent Joseph McCook and the School Committee, charging intentional "de facto" segregation. Similar events were occurring in Boston about this same time. In March of 1964 the Commissioner of Education, Owen B. Kiernan, ordered a racial census in all of the schools in the state. The State Board of Education appointed an Advisory Commission on Racial Imbalance and Education. When the report18 of the Commission was issued in April of 1965, it recommended passage of appropriate

16 Springfield Union. September 16, 1963


legislation to require local school boards to eliminate existing racial imbalance and to give the Commissioner of Education discretionary powers to withhold state aid if progress in this direction was not made.

Through the combined efforts of the Governor, his Lieutenant Governor, the leadership in the Legislature and citizens from several interest groups including the NAACP and other civil rights groups, the Racial Imbalance Act, embodying these and other recommendations of the Advisory Commission, was passed with an emergency preamble insuring immediate enactment.

Provisions

"An Act providing for the elimination of racial imbalance in the public schools." The law proposed to accomplish this by requiring all districts with racially imbalanced schools to devise a plan to correct this situation

19 A detailed analysis of the efforts of the various interest groups, legislators, executives, etc. to achieve passage of this law, as well as the story of the Boston School Committee's actions can be found in the following sources. For the purpose of this paper, only a brief explanation of the situation in Springfield was necessary.
The Harvard Report.

20 See Appendix D, p. 77, for copy of the RIA.

and to implement it within a reasonable length of time. The law defined as racially imbalanced any school which had more than 50% non-white population. It places the implementation of the law in the hands of the State Board of Education. It requires the local school committees to report the results of their annual racial census to the State Board. Under the law the State Board then makes the judgment as to which schools are imbalanced. It notifies the School Committee of the situation whereupon the School Committee must prepare a plan to eliminate this imbalance and file it with the Board. The Board is required to investigate the progress of the plan and its implementation. 22 If the Board makes a determination that the School Committee has failed to file a plan, it must consult with and make recommendations for a plan by the School Committee. If the School Committee does not show progress in eliminating the racial imbalance within reasonable time, the Board of Education must notify it of the existence of this imbalance. The Commissioner of Education will not certify the state aid for that school district until the State Board of Education has received from the School Committee a plan acceptable to it. When the Board of Education is satisfied that construction or enlargement

22 Ibid., See sec. 37D.
of a school will reduce or eliminate racial imbalance it will increase the state grant for school construction to 65% of the cost. \footnote{23} School Committees who disagree with the Board's recommendations or whose plans are rejected by the Board may petition for judicial review in the Superior Court. \footnote{24}

It is clear from the wording of the law that the two bodies most concerned with its implementation and enforcement are the State Board of Education (mentioned at least 20 times) and the School Committees (mentioned at least 13 times). Enforcement power, however, is specifically vested in the office of the Commissioner of Education who is empowered to withhold state aid and to decide when and how much a district shall be paid once its plans are approved. \footnote{25}

The law gives the State Board of Education a considerable amount of power over the School Committee. First, the law provides that the Board decides whether a school is racially imbalanced or not, and it defines racial imbalances as:

\footnote{23} Ibid., See sec. 1I
\footnote{24} Ibid., See sec. 1J. p. 416.
\footnote{25} Ibid., sec. 1I: "... The commissioner of education may thereafter upon receipt of a plan acceptable to the board of education notify the commissioner of corporations and taxation and the comptroller to pay any such withheld funds to such city or town in such amounts and at such times as he may designate..."
a ratio between non-white and other students in public schools which is sharply out of balance with the racial composition of the society in which non-white children study, serve, and work. 26

But it is not possible to ascertain from the law the meaning of the word "society". Does the law refer to society-at-large or to that society within which most non-whites live?

Secondly, though the School Committee must prepare a plan, the Board "may from time to time" require a report on the plan and its implementation. 27 Approval of the plan by the Board is necessary, but no standards are laid down in the law as to the type of plans needed. Thirdly, no time schedule for implementation of approved plans is prescribed by the law. These important details are all left to the discretion of the Board of Education.

Bureaucratic Policy - Making

Francis E. Rourke's 28 examination of the role of bureaucracies in public policy formation provides a perspective directly relevant to this case study. The questions raised in his analysis are particularly appropriate. He examines the ways in which bureaucracies

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26 Ibid., sec. 37D.
27 Ibid., sec. 37D. p. 415.
structure public policy. In a bureaucratic agency such as the Massachusetts Department of Education, the internal expertise of the bureaucracy has increasingly become a controlling factor in regard to the development of public educational policy. This expertise enables such an agency to exercise influence in the development of public policy by two channels: the capacity of the bureaucracy to give advice on policy decisions (indirect power), the authority, usually granted them, to exercise discretion in carrying out these decisions (direct power).

The actual content of policy may in some instances become entirely a matter for bureaucratic determination.29

Rourke claims that the steady expansion in the scope of administrative discretion has been the most important aspect of the growth of bureaucracy in this country. The traditional theory of public administration was that discretion extended only to decisions on means, while ends or goals of administrative action were fixed by statutes or a public official responsible directly to an electorate. But now that the center of power in policy-making has shifted from the legislative to the executive branch:

... all bureaucratic decisions are recognized as having at least some implications for policy. 30

29 Ibid., p. 45.
30 Ibid., p. 51.
Even the most routine administrative decisions are now recognized as having wide ranging effects on individuals, on private organizations and on local communities. Regulatory agencies which have the authority to grant or withdraw benefits have a great deal of power because of this ability to impose sanctions. Thus governmental structures have been formed to monitor these decisions; some to the Courts, some to the Legislature. Rourke feels that administrative discretion is vitally necessary to provide effective government in this rapidly changing and extremely complex society.

But the exercise of judgment involves choice, and choice means the formulation of policy. Hence the high development of administrative discretion in modern society necessarily projects bureaucrats into the center of the policy process. 31

Indeed, Bourke suggests state and local administrative agencies are far more involved with policy processes than the national. He notes that the more complex and more urban the area, the greater the need for expertise in the bureaucracy in order to develop effective policy. 32 However, the very expertise present at the State level which Rourke sees as contributing to the policy-making process is also present at the local level. In the present case, the positions of State Commissioner of Education and Superintendent of Springfield schools require much the same degree of

31 Ibid., p. 55.
32 Ibid., p. 57.
professional expertise and experience. The Staff within each agency is composed of professionals in education and administration.

Given Rourke's perspective it becomes important that we look at the Racial Imbalance Law in terms of its administration and implementation by the State educational bureaucracy. Under the RIA the State educational bureaucracy has authority to exercise discretion because the law is phrased in somewhat ambiguous terms. Rourke suggests that such discretion will affect policy decisions and that these decisions have wide ranging effects on local communities. The law itself, anticipates this aspect and grants the communities the right to question the decisions of the State Board by requesting a judicial review by the Courts.

What makes this case especially interesting is that it involves a conflict between the two levels of bureaucracy. This conflict might be explained as one concerning the goals or values of the RIA. It becomes clear that not all of the School Committee members shared the State's opinion of the value of integrated education. There might also be validity in describing it as a conflict over the means of

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33 Drs. McCook, Deady and Sullivan all have D.Ed.'s from Harvard.

34 See p. 11, this study.

implementation. At times, even those Committee members who did hold similar value positions as the State Board members still disagreed with them over the methods used to enforce or implement the RIA.

Still another aspect might be that the conflict is between two levels of governmental bureaucracy each with a great deal of professional expertise. If as Rourke has suggested, expertise is becoming a controlling factor in developing the policy-making powers of bureaucracies, the results of disagreements between the "experts" at each level is apt to have important effects on the policy emerging from the upper level. The conflict may be occurring over the actual content of the policy.

The objection might be raised that irregardless of these conflicts, the city is merely a creature of the state. The weight of legal powers, especially the authority to apply sanctions, remains in the state educational bureaucracy. There can be no question, therefore, but that the city must acquiesce in the authority of the state.

However, as events in this case study suggest, the situation is neither so uncomplicated nor so easily resolved as the above conclusion might lead us to believe. The state level bureaucracy has the weight of authority viz-a-viz the local entity. The city level agency has pride in the local educational system, a bureaucracy of professionals or professionalized personnel. These, in addition to the tradition of local autonomy in education,
are some of those countervailing forces which have retarded the development of strong educational leadership at the state level. 36

Bureaucratic Implementation of Policy

In such a situation, Edward W. Weidner 37 suggests that the upper level bureaucracy must choose carefully the methods by which it implements its policies. His analysis, an examination of national-state relations, is applicable to this case study in which the focus will be on the response of a city bureaucracy to the policy-making of a state bureaucracy. This investigation of the administration of the RIA in Springfield will concentrate on the methods by which the State chose to implement the law, using a theorem adapted from Weidner:

The more the administrative leaders of the state government use authoritative methods in their dealings with the cities, and,

secondly, the less decision-making related to state/local programs is participated in by city officials

(1) the less cooperative will be the continuing relations, and,

(2) the greater chance there will be of the program being seriously curtailed or altered in a direction contrary to the values of the state administrators.

36 de Lone. op. cit., p. 7.

Professionalism

In Weidner's analysis of decision-making in a federal system he found that the most fundamental cause for disagreement between national and state government is lack of consensus over what values should be implemented. Fortunately, the federal system itself provides an organization which has helped to weld a strong unified nation thus contributing to a modification of values and a reduction in value conflict. The disagreements are often the product of particular people and not entire units of government, but these people and/or groups are also the central forces behind the molding of public policy. As the professionalism of the group or individuals increases the more interest there is in policy-making and the furtherance of its programatic values. 38

Intergovernmental relations are at base human relations and require some mutual adjustment if they are to be cooperative in nature in the long run. In this adjustment, professionalism plays an important role because the participants from both (levels) . . . share many of the same goals. 39

Thus professionalism creates a powerful set of programatic

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38 Ibid., p. 210. Though Weidner's data and indeed his analysis is based on national-state relationships, he did use some questions about the state-local level in his survey. He says on p. 211: "In fact, however, the difference in national-state and state-local relations is more apparent than real."

39 Ibid., p. 211.
values which explain much of the behavior of professionals and non-professionals in intergovernmental relations.

**Leadership**

Another means of dealing with conflict and disagreements is through leadership: the attempt and success in affecting the policies of others. The leader may make his attempt in an authoritative manner, using his formal powers to guide others in their choices. Or he may choose non-authoritative means, namely, persuasion and suggestion, which need not convince but only cause others to change their choice.

However, there are severe limits set on the authority of one governmental level in dealing with the lower governmental units. In Weidner's survey he found that on both levels, national and state, administrators emphasized the use of non-authoritative methods. They were prone to give advice, provide consultative services, technical assistance and information, using authoritative devices only with the advice and consent of the officials to which they would apply or as an unwelcome last resort in very rare cases. There are several reasons why administrators have

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40 Weidner's more complete definition: "Authority is the formal and effective power 'to make decisions which guide the actions of another.' This means that the individual affected 'sets himself a general rule which permits the communicated decision of another to guide his own choices (i.e., to serve as a premise of those choices) without deliberation on his own part on the expediency of those premises.' In contrast, non-authoritative means do not involve an abdication of choice." p. 212.
chosen this method. First of all, they are human and most naturally enjoy friendly rather than more abrasive relationships. But more practically speaking, Weidner found the success of the program often depends on cooperation rather than authority. Further, unless cooperation is achieved, valuable time has to be spent checking up on the local units to see if compliance is genuine. If all of the important decisions have to be made by the state to insure programatic success the cost of administration will increase and its effectiveness will decrease.

Cooperative Development of Policy

Another practice, that of cooperative development of program policy, is supplementary to the use of non-authoritative methods of leadership to achieve programatic goals. Rules, regulations or program changes are almost never made without consultation with and participation by local officials. This development of policy from below is based upon similar reasoning as that of authoritative v. non-authoritative means. The greater the involvement of officials in the development of policy, the greater the amount of cooperation they will give to see their plans implemented. Thus, Weidner believes that:

under the conditions which prevail in the U.S....public officials who would be leaders in (intergovernmental)...relations must base their acts on the idea of getting along with officials of the other level of government by
using voluntary, non-authoritative methods. 

In the present case, we have seen that the ambiguity of some of the phrases in the RIA gives the State Educational Bureaucracy a significant amount of discretion in applying the law. Rourke has shown that such discretion is granted in large part because of the expertise of the Department and that the result is the ability of the bureaucracy to make choices or decisions. Clearly, the conditions under which the sanctions of the law may be applied is an example of this discretion.

The ability to make decisions is actually the ability to make policy. Weidner's theorem suggests that the success with which this policy is accepted by the lower level is related to the methods by which the upper level implements it. The State Department of Education used various methods similar to those described by Weidner in trying to implement a law which involved conflicts between it and the Springfield Educational Bureaucracy. Each of these bureaucracies is composed of professional educators and professionalized Board members. Through the office of the Commissioner, the State exercised leadership, choosing at times authoritarian methods (i.e., formal powers) and at other times persuasion and suggestions.

41 Ibid., p. 214.

42 For example, the ability to determine the requirements of the city's racial imbalance plan, and to set the amount of time understood as "reasonable".

43 See especially note 25, p. 10, this study.
Weidner's proposition suggests that non-authoritarian methods will prove more successful in achieving the policy goals of the upper level bureaucracy. The ensuing account of the implementation of the Massachusetts Racial Imbalance Act in Springfield provides a relevant, empirical set of events for the assessment of this proposition.
CHAPTER II
SPRINGFIELD AND THE RIA: SUCCESS OR FAILURE?

It seems appropriate to divide the case study of Springfield and the RIA into two "stages" corresponding to the administrations of the two State Commissioners, since policy decisions and their implementation are accomplished through this office. The first will be the early period from 1965 to 1969 under the administration of Commissioner Owen B. Kiernan and the later period from 1969-1971 under Commissioner Neil Sullivan. The early period shall be designated as the "lenient stage" and the later as the "authoritarian stage". In examining the actions of the State during each period and the response of the city of Springfield during these corresponding periods, we shall measure the progress made toward integration in several ways:

1. The number of schools which become racially integrated and to what degree.

2. The number of black and white students who participated in the open-enrollment program and the number of black students in the METCO plan.

3. The number of schools remaining racially imbalanced according to the formula in the RIA (+ 50% black students = imbalance).

4. The percentage of the black student population of Springfield remaining in imbalanced schools.

5. The number of new schools and additions built which relieved existing racial imbalance.
The Lenient Stage: The RIA According to Kiernan

Dr. Kiernan had been Commissioner in 1963 when the NAACP began to enter court suits all over the country to correct racial segregation in schools. When the local NAACP and the Boston School Committee reached an impasse, the leaders of the NAACP met with officials of the State Department. In August the Department issued a statement indicating, among other things, that the Commissioner and the State Board Chairman were scheduled to meet with Governor Peabody to develop legislation to meet this problem raised by the NAACP. At this meeting legislation was proposed for submission to the General Court. But increasing disturbances in the Boston schools, such as the February '64 boycott by 20,000 pupils and the march on City Hall by 1500 civil rights activists prompted Kiernan to appoint the Advisory Commission on Racial Imbalance and Education and to order a racial census of all the

1 The general description of events during these two stages is based upon several sources. The Kiernan Report (1964) contains a detailed description of events leading up to passage of the RIA, as does Levy (1971). The Harvard Report (1972) has extensive general information as well as a chapter (Chapter Five) specifically about Springfield. Bolner and Shanley (1967) have given a detailed description of this period and also a great deal of information specifically on the situation in Springfield. However, the city which receives the greatest amount of coverage in all of these sources is Boston. Further specifics were obtained from the Springfield newspapers of this period, and the personal interviews listed in the bibliography.
Massachusetts schools.\(^2\) The census information supplied, of course, proof of the charges made by the NAACP and when the decision was handed down by Judge Sweeney in the Springfield suit,\(^3\) his formula was adopted as the criteria by which the state would determine whether a school was racially imbalanced.\(^4\)

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2 This description is from Bolner and Shanley; both the Harvard Report and Frank Levy, credit Governor Endicott Peabody with providing the impetus for Kiernan's actions. Harvard Report, p. 27-28: "In its timing the announcement appeared to be an immediate response to the boycott. However, according to Parks, pressure at the state level had been building for some time. Parks felt that a major force working behind the scenes was then-Governor Endicott Peabody, while State Education Commissioner Owen B. Kiernan was 'reluctant' to undertake a study that would be openly critical of the Boston School Committee. However, the NAACP's representatives (Parks and Batson) and the Governor finally persuaded Kiernan to undertake the census and study."

Levy, op. cit., support for this version is found on p. 47. "There is good evidence that the motivation for this study came from the office of Governor Peabody who, in turn, had been urged to act by his Civil Rights Commission... The issue of racial imbalance had put the Governor under increasing pressure as he depended on strong support from Boston's liberal suburbs."


4 The Kiernan Report defines imbalance as "a ratio between Negro and other students in public schools which is sharply out of balance with the racial composition of the society in which the Negro children study, serve, and work."

Judge Sweeney's formula:..."non-white attendance of appreciably more than 50% in any one school is tantamount to segregation."

The Kiernan Commission concluded that any school with over 50% Blacks in its population was racially imbalanced.
The Advisory Commission on Racial Imbalance and Education reported that there were 55 schools in the state which had a "predominantly non-white population". Eight of these were in Springfield. The Commission also reported that the census showed that most Black children attended predominantly black schools and the overwhelming majority of white children attend schools either all white or ones with less than five non-white children enrolled.  

The districts of the eight schools in Springfield (one Junior High and seven Elementary) which were considered imbalanced were designed, as were all other school districts, on the basis of the rule of the Springfield School Committee that "the number of children in the city will be distributed as evenly as possible." The Commission recognized that the School Committee also made provisions for exceptions to this rule and suggested that racial segregation be considered as a basis for making exceptions. They specifically suggested grouping schools by altering district lines to encompass two schools. Certain grade levels could be assigned to one and the remaining levels to the other schools. The Commission also recognized that in the newly created districts there would be transportation problems but blandly stated that they were not "insolvable". They also made the specific suggestions that feeder patterns into

the Junior High be altered so as to eliminate racial imbalance at that level and that the imbalanced Junior High School (constructed in 1890) be eliminated.

The Springfield School Committee was urged to consider existing and emerging patterns of residential segregation when planning for new school buildings. Specific suggestions were made as to the sites of future schools as well as programs for compensatory education in the existing schools which had severely disadvantaged students. Springfield had already made application for this type of program which would affect 3800 students and 13 schools including all seven of the imbalanced schools. The Commission suggested some revisions with greater consideration of racial integration and again made the off-hand suggestion that if funding was not obtained from the Federal Government, the School Committee assume the financing of the program. Finally, the Commission recommended certain modifications of Springfield's existing open enrollment plan. One modification suggested that the School Committee finance transportation costs of the open enrollment which would decrease the amount of imbalance in the schools.\(^6\)

By April, 1965, when the *Kiernan Report* was published, Springfield had made some progress toward the goal of integrated education. The effects of the NAACP trial and

\(^6\) The preceding account of the actions of the Advisory Commission is taken from the *Kiernan Report*, p. 46-52.
the subsequent decision by Judge Sweeney seemed to have influenced some of the School Committee members to respond positively to the new forces within the community. Unfortunately, some others of the School Committee retained their old orientations. Aversion to "pressure group tactics" from the community has been a long-standing tradition of the Springfield School Committee.7

Mayor Charles V. Ryan, Jr., as Chairman of the School Committee, had stated as early as April, 1964:

I don't think we can sit forever and say a situation doesn't exist. One of these days the suit will be settled, but the problem won't disappear...There are so many things to do I feel we should start.8

The School Committee, on June 18, 1965, in response to community pressures and the Commission's recommendations voted an open enrollment plan to help correct the imbalance in the eight schools. However, opposition to this plan was voiced by both black and white groups - the Blacks because it was inadequate and because the costs would have to be borne by the parents who could least afford it; and the Whites for various reasons.9

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7 School Committeewoman Rosemarie Coughlin: "I will never bend to any pressure groups." Springfield Union, July 13, 1965.

8 Springfield Union, April 24, 1964.

9 An organization based in Ward 2, "Save the Neighborhood Schools Committee" through its leader, Francis Coughlin, (husband of School Committeewoman, Mrs. Coughlin), opposed immature thinking, appeasement.
Though the U.S. Court of Appeals by July 1965 had put aside the lower court order that Springfield file a plan with the court to end racial imbalance in its schools the RIA was passed in August and the School Committee and Springfield moved into a new era of state/local relationships.

Commissioner Kiernan appointed Dr. Thomas Curtin, the Deputy Commissioner, to oversee the implementation of the RIA, and Springfield, as well as the other cities with imbalanced schools, was asked to submit a plan to correct this situation. In formulating its first plan Springfield followed some of the suggestions made by the Advisory Commission. It combined some elementary school districts, abandoned one imbalanced school and converted another into a resource building. It revised some district lines, provided compensatory programs for disadvantaged children and began busing children whose school had been demolished. Long-range proposals included plans for new elementary schools built outside the Black residential areas. Dr. Curtin suggested that the city might be entitled to money for transportation under the Elementary and Secondary

of Negro leaders, and the breakdown of the neighborhood school concept. Also, Mr. Edward J. Howard, leader of Citizens for Civil Rights said he was lukewarm (toward open enrollment). "Don't feel racial balance is prerequisite to good education...open enrollment is unnecessary." Springfield Union, June 18, 1965.
Education Act but no one in the State Department felt the necessity for requesting such funds from the State Legislature. At the end of 1965 there were about seventeen city schools, all at the elementary level, with few or no black students.

By June, 1966, after clarifications requested by the State were made, Springfield's plan was approved unanimously by the State Board of Education. Mrs. Dorothy Robinson, former city School Committeewoman, now a member of the State Board had called it an "honest attempt" to solve the imbalance problem. Dr. Curtin had emphasized the requirement that the total Springfield plan to eliminate racially imbalanced schools ultimately achieves a goal of having all schools balanced. "This must be done within a reasonable time," he said. Furthermore everything didn't have to be accomplished by September of 1966 but only "as fast as reasonable people can reasonably expect." But in November, though the Plan had been widely acclaimed it was found that six schools were still racially imbalanced and furthermore the percentages of non-whites in all of them had risen.

Without warning, the State Board voted at their December meeting to withhold six million dollars in state

10 Charles V. Ryan, Jr. Interview, December 1, 1971.
aid to education until an acceptable plan was received. Richard Banks, a member of the Board, termed the holdup of funds "an administrative thing"; "submission of a plan which gives promise of making reasonable changes in enrollment would free funds to the city," he said. Commissioner Kiernan termed it only a "technical hold" and said that:

In '65 when the census showed imbalance, the local authorities were notified and later that year came in with the most comprehensive plan of any of the cities involved. In October (1966) the school census showed that the schools were imbalanced; therefore, another plan is needed. I have every confidence another plan will be forwarded in the near future.\(^{13}\)

But the response on the part of the Springfield School Committee members indicated that they did not view the holdup of funds in the same light. Mayor Ryan stated:

We received no warning whatsoever that the 31st would be the deadline date on submitting a plan. I was with Commissioner Kiernan for three hours one day last week and there was no mention of such a deadline—just praise for the way we've been handling racial imbalance in the Springfield schools. Dr. Theinert* was in Boston yesterday all day at the State Department of Education offices and heard not a word until she received the news on her radio.\(^{14}\)

Committeeman Vincent DiMonaco stated his conviction that

* Assistant Superintendent of Springfield Schools.

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only a two-way busing program could achieve racial balance. He challenged the constitutionality of the law and opposed busing achieved by force. He stated that forced busing would be hazardous and would break down any existing rapport between the school and the home in the city of Springfield.15

William O'Neil declared the action "very premature", stating that the State Board was "way off base" in cutting off funds without warning.16

Mary Lynch exclaimed, "We've done everything we possibly could to work toward solving this racial imbalance problem.17

This is clearly an instance of the Board exercising the complete discretion given it by the RIA. It could have issued a warning as it was to do in the future in similar circumstances; it could have requested an updated plan and given a reasonable deadline for its submission. Commissioner Kiernan could have informed the Board of his close and recent contacts with both the Mayor and Dr. Helen Theinert, Director of Research for the Springfield School Department, and indicated that progress was continuing to be made. The emphasis on the term "reasonable" which Dr. Curtin had taken some pains to stress quite clearly meant different things to the Board and to the School

16 Ibid.
17 Ibid.
Committee. It was the Board's choice to forgo other alternatives and proceed immediately to the application of the sanction provided by the RIA.

The Springfield School Committee had requested its School Department to draw up the plan necessitated by the RIA. No criteria were ever given by the State; no clear-cut requirements were ever laid down by the Board. Indeed, the Board was depending on the staff of the State Department for guidance in evaluating the plans and they were ill-equipped to perform this task. Though the Advisory Commission on Racial Imbalance was also reviewing plans submitted under the RIA, their make-up was similar to that of the Board. The members were appointed, citizens who had many other important interests and who served on a volunteer basis. Few were professional educators and they, as much as the Board, depended on the "expertise" of the professionals within the Department.18

The funds granted by the Legislature to enable the Department to administer the RIA were not used and neither were Federal funds sought which were available under Title IV of the Civil Rights Act of 1964 for hiring additional staff members.

Furthermore, when in 1967, the Equal Educational Opportunities Unit within the State Department was finally started, low salaries, high changeover, plus lack of

impetus from above made for serious difficulties. Even when it was given the status of a Bureau, the State Department could not find a person to head it.

During this period Dr. Curtin had recruited a Task Force from the many universities in and around Boston. Dr. Joseph Cronin, later to become Massachusetts' first Secretary of Education, and Frank Levy, author of a book on the RIA cited in this study, were among those recruited. It functioned chiefly as an analytical and technical resource to the state officials for about two years. Its major focus was directed toward structuring an acceptable Boston plan and it met regularly with representatives from the Boston School System and occasionally with the Springfield School Committee.\(^\text{19}\)

Meanwhile, the Springfield School Department had to shift its personnel from their ordinary duties to the development of acceptable plans for racially balancing eight of the city's schools. However, in Springfield's case "acceptable" meant something more complex than simply in terms of the RIA. Since the plan would affect directly many thousands of children and their parents it had to be acceptable to them also. In November, 1966 the Springfield Daily News contained an article which said in part:

\(^{19}\) This description of the state Task Force is from the Harvard Report, p. 107-112.
Even though the Springfield Plan has been widely acclaimed it has achieved little in the way of results. The State Department of Education released a list of communities which still have not met legal requirements for elementary racial imbalance. In six schools the percentage of non-whites has risen over last year. Only a tiny minority of whites are sending children into "ghetto schools." Only enforcement of white enrollment will meet state requirements for reducing non-white concentration in local schools. The School Department has quietly kept this in the back of its mind as a last resort. It is considered a last resort because it could result in some violent reactions.20

There was sound basis in fact for such an opinion since in the years since 1963 Springfield had seen racial disturbances increasing in numbers and force. They had reached a climax in the summer of '65 with a large civil rights demonstration and march along the main streets of Springfield which were lined with National Guard members whose presence had been requested by Mayor Ryan to protect both the spectators and the marchers. Threats of demonstrations against the enrollment plan were made in June, 1965 by Blacks who felt it was an inadequate response to their demands.21 White groups picketed the School Committee meetings defending the neighborhood school concept and expressing unalterable opposition to busing.22

The Springfield School Department had three immediate problems involved in the formation of a Plan. A survey of parents' opinions relative to busing out of school districts to achieve racial balance showed opposition by more than 90% of the respondents. A majority of Black parents were opposed also though Blacks formed almost two-thirds of those supporting busing. Secondly, the high mobility of families and students in the city rendered shifts in the school population ineffective and often fruitless. Thirdly, the School Department had to consider as co-equal the safety of the children and the racial balancing required by the law. The Springfield School Committee asked for technical assistance from the State in solving these problems. Unfortunately, it was not immediately forthcoming.

In January 1967 Dr. John Deady succeeded Dr. McCook as Superintendent of the Springfield School System and, unlike Dr. McCook, he had a commitment to integrated education. Dr. Deady was young, only 44 years old, a graduate of Amherst College and Harvard University who


24 Dr. McCook reported that 10% of the Black school population had shifted within six months. Homer St. School had a population of 581 Black students. From September to December it lost 386 and gained another 204. Springfield Union. May 12, 1965.

considered the neighborhood school concept as "dead as a dodo". He believed in an integrated educational system but not at the sacrifice of the total education program. He felt that proper planning was needed to prepare the community for integration and that the lines of communication must be kept open to pressure groups of all kinds. He was hired by the unanimous vote of the School Committee.

Dr. Deady was able to develop quickly a cooperative relationship with the State Department and the Task Force members and they worked during the Spring of 1967 to develop a comprehensive plan for Springfield. The unofficial draft was sent to the State Department in May with requests for state aid for transportation costs. This plan included the transfer of about 400 students from one imbalanced elementary school and the closing of another. Both schools were in the heart of the Black residential area. The imbalanced Junior High was to be closed by 1968 and by 1970 three new school complexes would have been completed and racial imbalance would have been eliminated.

The Springfield School Committee rejected this plan as politically unacceptable in spite of the endorsement from Dr. Deady and the State officials. In expressing their opposition, the exorbitant costs of the building program were cited as the main reason. When the School

26 Interview with Theodore Dimauro of the Screening Sub-Committee of the School Committee, December 18, 1971.

Committee submitted in July what Dr. Curtin referred to as a heavily "watered-down" version of the Plan, Mayor Ryan added a section in which he argued that the city required much more money from the State for transportation and construction. Commissioner Kiernan was reportedly furious when this Plan was received and state officials felt that the Mayor was primarily responsible for "pulling the rug from under the plan". The Task Force termed it "narrow in scope and only a modest effort to eliminate racial imbalance." 29

But Springfield School Officials had a different perspective and had reduced the drastic changes in the elementary schools to limited redistricting, a few transfers on the Junior High level until the eventual closing (one year later than in the May plan) of the imbalanced Junior High. The building plans of only one school were retained; the other two were mentioned only indirectly as projected needs. The State Board rejected this Plan and recommended that the city seek funds available from Federal sources.

In August the State Board held a joint meeting with the Springfield School Committee at which time both groups talked past each other. Mrs. Robinson attempted to refute the Mayor's insistence that the city was bonded to its

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28 Ibid., p. 369.
29 Ibid., p. 369.
limit and that the State Board was "uninformed" about Springfield. Mayor Ryan said that the City was willing to serve as a model to other middle-sized U.S. cities by having racially balanced schools if the State and Federal governments and private foundations would provide the funds. Without these funds the City could offer no more than what was stated in the July plan.30

In the end both groups decided to reexamine their respective positions and to continue to cooperate in developing an acceptable plan. But more than four years later the resentments and outrage which the School Committee members felt at the time were recalled vividly by one of those members who had participated in the August meeting.

Dr. Curtin had absolutely no compassion or understanding of problems in Springfield. They were trying to shove something down our throats without any feeling for the community or what would happen here even beyond the financial impact on the city. At the meeting at Duggan, a young man on the State Board tried to lecture Charlie Ryan on what he had failed to do as Mayor. Charlie responded that they had no idea of what it (the Plan) means in money - that they wouldn't give us money and time - time to enable the changing philosophy to be accepted by the community on a gradual basis. Yes, we needed school buildings but there were lots of other things we

30 Mayor Ryan said, "We told the state we didn't want a 7 year or 5 year building program. We'd have a 6 months building program if you will go to the legislature to get us money. We needed 100% funding. But Commissioner Kiernan didn't want to fight that hard
needed first, especially if the only reason we needed them was because the high and mighty people from the east think we need them.
The School Committee felt they were acting in the best way to achieve racial balance without damaging the school system and driving whites out of the city.  

In September a revised Plan was accepted by the State Board, the funds were released and Mrs. Robinson explained the Board's decision by saying:

Compared to the resistance we'd been getting from Boston, Springfield at last seemed to be moving in the right direction. After several confrontations the Board had come to appreciate the difficulties the School Department faced in coming up with a plan acceptable to a majority of the School Committee. Here, at least, was a light at the end of the tunnel.

During the next three years this plan remained in effect with the city submitting progress reports periodically. Though an addition to a Junior High was approved for 65% state funding and the imbalanced Junior High closed in 1968 (a year earlier than planned) the building plans for the community-type elementary school were seriously delayed.

The story of this Brightwood Community School would in

for money because he said then they couldn't get money for other things that they'd need. Springfield was a guinea pig for a social experiment and was being forced to pay the bills too." Interviewed December 1, 1971.

31 Confidential interview with School Committee Member November 27, 1971.

itself, make a fascinating case study of the complexities involved in cooperative Federalism. The city had, as Commissioner Kiernan suggested, requested Federal funding as well as State support for this innovative facility. In addition, approval had to be gained from the City Council directly and indirectly from the people who lived in the neighborhood affected by the proposed facility. The Springfield Redevelopment Authority was asked to seek approval of the area as an urban renewal project and a year later (April, 1964) the City Council approved the filing of this application. By Fall the Federal Government had approved the application and the School Committee and the SRA met to discuss the tie-in between the school and urban renewal. Talks continued as consultants studied alternative concepts for the school and for the site of the building. In the Summer of 1966 the School Committee selected a site and approved the specifications for the school in the Spring of 1967. But a few months later an architectural firm was hired to do a site-feasibility-study and in April of 1968 the School Committee approved the newly recommended site.

In the Fall the Federal Government approved the Urban Renewal Project which included 33% funding for the Brightwood Community School. During 1970 funds were requested and appropriated for architectural work and by Fall the SRA had released a consultant's report calling for construction "on time" to avoid a chaotic situation adversely
affecting the (housing) re-developers in Brightwood. In 1971 the final plans for the three-segment school were approved by the School Committee and endorsed by the State Board of Education and Commissioner Neil Sullivan. But, as of this writing, the first shovel-full of dirt for the foundation has yet to be turned.

By 1967, it was evident that more than one strategy was emerging in the drive to achieve equal educational opportunities for black children. The Congressional Quarterly report on Civil Rights stated that:

Two new strategies emerged...One would attack de facto school segregation across the country and at the same time press for housing desegregation. The other would shift the focus of present efforts from desegregation per se to the quality of education in urban areas, where schools were increasingly all-black...

(Kenneth) Clark foreshadowed the second approach in 1969, by his suggestion that 'given the present strong and persistent resistance to any serious and effective desegregation of our public schools, the bulk of the available organizational, human and financial resources and specialized skills should be mobilized and directed toward obtaining the highest quality of education for Negro students without regard to the racial composition of the schools they attend.' This shift in emphasis was not, Clark said, 'a retreat into the blind alley of accepting racial separation... nor is it the acceptance of defeat in

33 Springfield Union, February 24, 1972.
34 August, 1972.
the battle for desegregation. It is rather, a regrouping of forces, a shift in battle plans. 35

There were signs that these alternative strategies had gained some support in Springfield. It was evident by the numbers of parents, both black and white, who continued to enroll their children in the open enrollment program, that integrated education remained a desirable goal. However, there was also support for the other strategy. This viewpoint was expressed in early 1968, by the president of CORE. Oscar Bright stated that:

...the Open-enrollment Plan was a weak plan...even if the city took this thing seriously right now it would take 15-20 years before all the ghetto schools are integrated. In the meantime we still have children in ghetto schools who aren't getting a better education. DeBerry and Ells are brand new schools. They won't be eliminated. Without two-way busing, integration in these schools won't work. You have to start with the ghetto schools themselves and make them into better schools. 36

There seemed to be growing support for educating minority children in their own neighborhoods providing that the education was of excellent quality.

The School Committee reflecting this viewpoint, had shifted the location of a planned elementary school from a white, suburban area of the city, to an inner city, racially mixed district. The proposal for this new


community-type school was included in the Plan which the State Board approved in July, after receiving an optimistic report from the Task Force concerning the commitment of the Superintendent, Dr. Deady, his staff and "certain School Committee members who are working diligently toward solution and elimination of Racial Imbalance in Springfield." 37

Another proposal of this State-approved Plan, was one to build an addition to a suburban area school and to bus black students there from their ghetto area. In February, 1969 the School Committee proposed the assignment of 160 kindergarten children from two imbalanced schools which were to be phased out when the new addition was completed, to the suburban North Branch School. 38 A great many black parents, indicating support of the second strategy, vehemently objected to their small kindergarteners being bused to this suburban school. The School Department acceded to their wishes and the children remained in the imbalanced schools. 39

Progress Report 1965-1968

A review of the events just presented during the "lenient stage" of the implementation of the RIA does not

37 Harvard Report, p. 375.
give much indication of a relaxed attitude on the part of Commissioner Kiernan or the State Board. The State Board chose to use the most extreme sanction almost at once: the withholding of state funds for education until their requirements were satisfied. However, the money was released after only seven months and in the years after 1966, the Board expressed a greater understanding of Springfield's problems and an appreciation of its attempts to balance its schools. Relations between the two levels improved under Dr. Deady, who, with his staff had worked very hard to cooperate with the State bureaucracy.40

The Springfield School Committee had, by the end of 1968, implemented all of the suggestions made in 1963 by the Advisory Committee on Racial Imbalance and Education. But several problems made it increasingly difficult to eliminate racial imbalance in the remaining five imbalanced schools. Financing new schools remained the most serious problem with the city requesting 100% funding and the State continuing to offer only 65% of building costs.41

The rising black population in the schools and their high mobility within the city, combined with the decreasing numbers of white students, exacerbated the task of balancing the five ghetto schools. The final complication was

40 For example see quotation by Mrs. Robinson on p. 39 this study. Also the quotation by the Task Force on p. 43 this study.

41 Charles V. Ryan, Jr. Interview December 1, 1971.
the emergence of a new strategy from the Black community for achieving equal educational opportunity: quality education in their own neighborhood schools.

Using the five measures of progress which were outlined in the beginning of the Chapter, Springfield had, by December, 1968, achieved the following amount of integration:

1. At the end of 1965, there were about 17 schools, all elementary, which had very few or no Blacks. At the end of 1968 all schools had some Black pupils. All except one had more than 1% Blacks, and only five had less than 5% Blacks.

2. The open-enrollment program involved 648 students... black and white. A METCO program was operating with two neighboring towns with a small number of Black students (44) involved.

3. There were eight imbalanced schools in 1965; there were five in 1968.

4. The percentage of Blacks in racially imbalanced schools had declined from 66.7% in 1964 to 34.7% at the end of 1968. This occurred at the same time that the percentage of Black students in the school population increased from 15.9% in 1964 to 19.9% in 1968. Also, by this time the white pupil population had decreased by 1406 while the black pupil increase was 753. 42

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42 Taken from the account in the Springfield press of the annual report sent to the State Board from the Springfield School Department. Springfield Union. November 9, 1968.
5. All the Junior High Schools were balanced; the one imbalanced Junior High had been closed and an addition built on another to accommodate students.

The Authoritarian Stage: The RIA According to Sullivan

Mayor Ryan chose not to run for a fourth term and in January, 1968, Frank Freedman took office as Mayor. He was an attorney, a former member of the City Council and the first Jewish Mayor of Springfield. As Mayor, Freedman became, ex officio, the new Chairman of the School Committee. The Committee membership had changed somewhat: Mr. O'Neil and Dr. Hutner had replaced Mrs. Coughlin and Mr. Cyr, but a more significant change had occurred in the attitudes of the Committee members. Attempts had been made in 1966 and in 1967 in the Legislature to repeal the RIA. Mr. DiMonaco and Mrs. Lynch were the only two members who supported outright repeal during both attempts, but the other members, by 1967, supported modifications of the law. In particular, most committee members were opposed to "forced" busing to achieve racial balance, and supported the Neighborhood School Concept. Support for integrated education was now somewhat eroded and the Committee had moved far apart from the State Board on the methods by which this would be implemented. The Committee had begun and even expanded programs to send Blacks into white schools.

and had committed itself to a building program which represented a sharp departure from the neighborhood school concept. But the majority was still not willing to bus white children into black schools, especially in the face of parental opposition. Neither did they bus Black pupils out of their neighborhood schools when Black parents voiced opposition to this.

This is reflective of the attitudes of the majority of Committee members when the State Board chose as the new Commissioner of Education, Dr. Neil V. Sullivan, who has been called the "Berkeley Buser". His successful efforts to integrate the Berkeley (Calif.) schools by mandatory busing were given wide publicity as well as some of his more controversial statements.

He had declared himself firmly in favor of busing to end segregated schools. And he said he favored schools which embraced large areas. Later, in February, 1969, he called himself an avowed integrationist and termed open enrollment in schools a dismal failure in achieving racial balance. It should be fairly clear that none of these statements would endear him to the majority of Springfield School Committee members.

44 Springfield Republican. July 9, 1972. See Note 4, p. 64, this study.
Dr. Sullivan is fifty-seven years old and recalls vividly his childhood and youth as a ghetto dweller in a small New Hampshire town. He was poor, Irish, and Catholic, and would have been severely limited in opportunities for a better life, he says, were it not for the indomitable will of his mother. He graduated from Keene, (N.H.) Teachers' College, got his M.A. at Columbia University and his Doctorate in Education at Harvard, where he taught for a time in the Graduate School of Education. He was asked by President Kennedy to reopen the public schools in Prince Edward County, Virginia, after they had been closed to avoid integration. His rationale for integration was simply stated: "Because it is the law...and because it is right". He quoted Dr. Martin Luther King that: "Now is the time. Now is the time to make real the promise of democracy."

When Dr. Sullivan came to Massachusetts in January, 1969, he first turned his attention to Boston and it wasn't until late summer that the State approved the 1969 Progress Report which Springfield had submitted in March. But in January, 1970, he requested information, by letter to Dr. Deady, on several different points and in February, again by letter, he asked for an updated plan. Included in the plan was a report on a proposed learning center at the


48 Ibid., p. xi.
DeBerry School (+90% Black in 1969). The School Department had planned to make this a magnet school by infusing it with the most innovative teachers and materials so that white parents would want to send their children to it. A survey of parents in Springfield showed that 845 white parents wanted to send their children there. Only 28 Black parents in the DeBerry School district wanted to send their children elsewhere. Commissioner Sullivan insisted that the school be racially balanced and in June the State Board put Springfield "on notice" that their failure to comply with the Law would result in withholding of state aid. Mrs. Robinson had submitted the motion and it passed unanimously. She was quoted as saying: "(Springfield) school officials have used every dodge they could to evade the issue." As Mayor of the City and the Chairman of the School Committee, Frank Freedman had a perspective that included all the Departments of the city as well as the School Department. If politics is the art of compromise, it is the task of politicians to make choices from among competing values. It was Freedman's decision, as it was Mayor Ryan's, that the overall well being of the city must not be sacrificed to the needs of the School System defined in terms of the State requirements but perhaps not

49 The complete story of the DeBerry School is told in the Harvard Report, p. 389-400.

felt by the majority of Springfield's citizens. The building program was not deemed an immediate necessity and procedures, though begun, were designed so that actual building would come when Springfield was able to handle it or when it finally received the financial support it needed.

The community continued its short-range programs however, despite the fact that meetings with parents at various schools in the city (Spring, 1969) had elicited their opinions that money should be spent improving the quality of education not on busing and that: "Education depends more on the teacher than the kind of class."

The city was, at this time, busing 1600 children out of racially imbalanced schools.

In June of 1969, the School Committee, in response to a request by the local NAACP, empowered a broad based citizens' committee to restudy Springfield's racial imbalance plan and recommend changes in order that parents and the community might have a voice in plans affecting them. Dr. Deady said:

We have come to believe that a program must be acceptable to the community if it is to be successful. Parents and youngsters affected by the plan must be aware of its composition, rationale, and implementation...the current plan is fair and equitable but changes in circumstances


52 Springfield Union. April 8, 1969.
since it was devised three years ago, may require modification of the plan or the means of implementation.  

Mrs. Mona Corriveau, who in 1971 succeeded Mrs. Robinson on the State Board, was the Chairman of this interracial citizens' committee. She is a resident of Springfield who, at the time, had several children in the public school system. The ad-hoc committee made its recommendations in the Spring of 1970:

1. Immediate integration of all elementary schools including the kindergarten level.

2. School Department should sponsor a human relations program for all personnel.

3. The entire community should join forces in support of integration.

Dr. Deady had called for some type of cluster arrangement of the elementary schools and the School Committee asked him to recommend the specific schools to be included. However, a few days before his recommendations were due, he called a "closed door" meeting of the School Committee and asked that implementation of the plan be delayed for at least a year. He felt that more time would be needed to prepare for the changes. Members of the Committee agreed that changes of this magnitude cannot be "jammed down people's throats", and that parents should be

consulted and prepared for changes. They felt no plan would work unless it was acceptable to the community. However, they also felt that the building plans were not making enough progress and the Committee voted to build an addition to another Junior High School to relieve further overcrowding. In August, the City Council approved the request of the School Committee and voted funds for this addition as well as for architects' fees for three new elementary schools (two of which were outside the Black district) and a pre-fab addition for another Junior High.

The stage was now set for a head-on collision between these two governmental levels: the City and the State. The Springfield educational bureaucracy was convinced that it must proceed carefully, gathering support from parents and preparing teachers and students for the changes to come under the short-range balancing plans. At the same time it was moving through the various bureaucratic procedures, the plans for three new elementary schools (one of which was the Brightwood School previously cited) and an addition to a Junior High. On the other hand, the State, convinced that Springfield was "dragging its feet", continued to apply the pressure begun in the Spring. Dr. Sullivan was completing his second year as commissioner and finally had adequate staff working on racial imbalance. Plans were made to order a study of the RIA, and the Equal Educational Opportunity Unit was made a Bureau within the State Department.

The State Department decided to press for full compliance with the RIA.

On December 15, 1970, the Commissioner went before the Board and recommended that State monies be withheld until Springfield showed evidence of compliance.

We are...advised that educationally sound and administratively feasible alternatives are available to the system to achieve compliance with the Act.58

Mrs. Robinson made the motion and the Board voted 10-1 to withhold funds until Springfield complied with the following demands:

1. Submit a plan for integration by April 1, 1971.
2. Integrate all schools by September 1, 1971.
3. Appropriate $150,000 for architects' fees for new schools.59

In explaining why similar action was not taken against Boston or New Bedford, William Crowley, administrative aide to the Commissioner, said that the situation in Springfield "is different; there is clear evidence that the

58 Ibid., p. 376.
59 The lone dissenter was Richard Early, Editor of the New Bedford Times. New Bedford is an urban area with many problems similar to Springfield's and was also being accused by the State of moving too slowly. Mrs. Robinson is quoted by the Springfield Union as saying: "the State Board has been tenant, it sat by for five years while the city (Springfield) did nothing to correct the imbalance problems in five schools." The Daily News: "Dottie celebrated her last day of a five year term on the State Board by dropping a bombshell on Springfield." December 16, 1970.
city is not moving" to eliminate racial imbalance.

Though there was sharp reaction by the Mayor and Dr. Deady, they differed in the thrust of their statements. The Mayor who had spoken to the State Board members at their December meeting, requesting them not to cut off state aid and outlining the progress made since 1965, said that though the city must work toward compliance and go ahead with some plan, he had asked three former City Solicitors and the present City Solicitor to try to find a reasonable objection to compliance with the law.

But we cannot base our hopes on this or on the possibility of legislation to provide relief. We have to work toward compliance and we have to work quickly. There is no necessity for panic or for a headlong run out of the city. This is a time for us to put our heads, and if I may say so, our hearts and souls as well, together. 61

He hastened to assure the community that the only alternative to busing was redistricting, but that whatever is done to comply with the law will be done with proper planning and with many public meetings.

Mr. Paul Mason, a Black and a City Councilor for several years, criticized the Board's vote, claiming that the real issue was not two-way busing but the quality of schools in black areas. The law states that a child may not be bused if the parents indicate their unwillingness

(the protest must be in the form of a letter). Theodore Dimauro, a former School Committeeman and now a City Councilor said that "a massive protest among parents refusing permission to bus children might hold up." Vincent DiMonaco, a School Committeeman, warned that "the law says if the city doesn't comply, Commissioner Sullivan (sic) can come in and make his own plan."

The *Springfield Daily News* took the middle ground and editorialized that:

> Springfield is not trying to circumvent the law. But the city has a right to expect that the State will give greater consideration to the efforts made to comply.

It claimed that:

> Mrs. Robinson should know that a solution is not easily come by. The prodding by the State Board in the past was tempered by understanding that elimination of racial imbalance is a time-consuming process and building new schools costs money. Although Springfield has not met the State's timetable, the State should recognize the considerable progress made in meeting the challenge during the 60's.

Mrs. Wark, a School Committee member, had attended the State Board meeting and had advised Mrs. Robinson that holding up funds was the only way to prod Springfield into action:

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62 Ibid.

was upset that the action had to be taken. Two-way busing is the only plan which can be implemented by September. We have to take a positive and constructive attitude toward this, realizing it will benefit all of our children.64

Dr. Deady, knowing that Springfield was not ready, yet not flinching from the task the State had set for him said:

Because of the limitations of time and space there was no room for a gradual or phasing program to balance the races at schools. Two-way busing was the only way for compliance by September, 1971. We have made considerable progress in putting black and white students together in our junior high schools and elementary schools but this has involved a tremendous amount of preparation for students and teachers and parents.

Whatever preparations possible must be done before fall and must be sufficient. I see this as a test of the integrity of the whole community—this is an opportunity for community cooperation and a time for stature and greatness in people.65

However, the State was to push Springfield even harder to the test as Commissioner Sullivan responded to the complaints of some of the Black parents that their neighborhood schools were being closed, that the proposed sites for new schools were all outside of their area, and that their children, but almost no white children,

64 Mrs. Wark has five children attending Springfield Public Schools.

would be bused. Accordingly, in a "major and significant departure from previous policy", the Commissioner informed Mayor Freedman on December 31, 1970 that any long-range building plans must inconvenience all segments of the population equally. When informed in January that the funds had been voted for the planning of the new schools, (one of the demands made in December) he wrote Mayor Freedman that in light of the Board's new policy of "equal inconvenience" Springfield's Plan was no longer acceptable.

Charging that the State Board had been "arbitrary and capricious", Springfield petitioned for review in Superior Court. Some bargaining ensued with the City promising to submit an April first plan if the State released the $7.5 million in funds. Three different plans were suggested: clustering, grouping and pairing. All three involved substantially increased busing and each would cost about $1 million per year. The State extended the deadline to May 18, since they believed the City was moving toward the adoption of a plan.

During this time the Springfield Daily News was expressing disappointment in the role Mayor Freedman had chosen, by instituting a test of the law in the courts and by supporting the "Scibelli Bill". This bill, filed by a

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66 An analysis of Black objections to the long-range building plans is found in the Harvard Report, p. 424-430.
67 Ibid., p. 377.
Springfield State Representative would have exempted Springfield from the provisions of the RIA.

The Editors called for leadership on the part of the Mayor, the School Committee and the whole city Administration. They called for a well planned public education campaign to help dispel fears, and eliminate misconceptions about busing. But the Mayor continued to avoid any commitment to compliance and on May 6, the School Committee defeated a motion that they go on record as intending to comply with the May 18 deadline.68 They had vetoed all three plans in April because of the mandatory two-way busing involved.

Governor Francis Sargent announced that he would veto the "Scibelli Bill" if the Legislature passed it, but that he would request an extension of the deadline for submission of a short-range plan until June 8. He would also ask the Legislature for substantial funding for the busing program within the city and for an experimental school.

The Mayor was unimpressed. Committeeman O'Neil said that an extension "doesn't make much sense when the majority of the School Committee has no intention of voting a plan in 18 days or 18 years."69 When the extended deadline had

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68 Mrs. Wark, Mr. O'Neil, Dr. Hutner supported the motion. The Mayor, Mrs. Lynch, Mr. Hogan and Mr. DiMonaco were against.

come and gone with no plan submitted, the State put a withholding order of all state aid to education until further notice. But to no avail. The Springfield School Committee (at least the majority of members) had dug in its heels and were determined to wait for the decision of the Court, confident that it would be in their favor.

Progress Report - 1969 - 1971

Using the five measures of progress outlined in the beginning of the Chapter, the amount of racial integration which took place in the Springfield school system between 1969 and 1971 is indicated:

1. All schools had at least 1% Blacks, and only five had less than 5% Blacks.

2. The open-enrollment program involved an additional 203 students. METCO now involved 105 black students and four suburban towns.

3. There were still five racially imbalanced schools.

4. The percentage of Blacks in racially imbalanced schools had declined from 34.7% in 1968, to 33%. The percentage of Black students in the school population had risen from 19.9% in 1968 to 22.5%.

5. The architect's fee for the Brightwood Community School was bonded for $375,000.* An addition had been started on a second Junior High School. Extensive

* See the third requirement of the State Board on page 53, this study.
recruitment of Black professional staff members resulted in an increase of 51% Black staff members throughout the system.70

CHAPTER III
CONCLUSIONS

Examination of the attitudes and responses of the Springfield educational bureaucracy to the administration of the RIA during the "lenient" and "authoritarian" stages reflects support for Weidner's theorem:

The more the administrative leaders of the state government use authoritarian methods in their dealings with the cities, and secondly, the less decision-making related to state/local programs is participated in by city officials...

The administration of Commissioner Kiernan was notable for the amount of bargaining and negotiations which was undertaken by both levels to arrive at an acceptable plan for eliminating racial imbalance in Springfield. During the first year and a half under the RIA, the Board seemed to have accepted the premise that Springfield was working "in good faith" to eliminate imbalance. When the State did impose the sanction allowed by law, it did so almost apologetically, calling it a "technical hold" and giving assurance that the money would be released as soon as the necessary plan was submitted.

Cooperative efforts ensued in order that a complete plan could be devised. And though the State officials were upset when Springfield officials did not support the entire plan, the Board later accepted most of the city's revisions and that 1967 Plan became the city's basic Plan
for the next two to three years.

Within eight months of receiving an updated Plan from Springfield, Commissioner Sullivan proceeded to the ultimate step of applying the sanction of withholding State aid. It is possible that the impact of this action was all the more severe since he had virtually ignored Springfield for the first year of his term. There were indications that the attitudes of some of the Board members were less sympathetic to Springfield's efforts than they had previously been. It seems that once Sullivan began to pay attention to Springfield, he moved quickly (in the space of one year) to the application of his formal powers under the law to secure compliance (i.e., authoritarian methods).

Furthermore, evidence of the lack of cooperation and understanding on the part of state officials in regard to the development of alternative strategies by the Blacks is supportive of the theorem. There was no possibility of balancing the DeBerry school once the black parents refused to allow their children to be sent to other schools to make room for white pupils. Yet the School Department, alone, proceeded to cooperate with the parents in making the DeBerry School a community controlled school, limited

1 Note the quotation by Mrs. Robinson on p. 49, and then a later statement quoted in footnote 59 on p. 53 this study.

2 See p. 49 this study for original reference to this imbalanced school.
though the control may be. The State's inflexibility in refusing to seek alternative approaches to equality of educational opportunity when the City suggested them effectively eliminated participation by local officials in the planning of programs. The clearest example of the local officials being ignored by the State in the planning process was the action of Commissioner Sullivan in changing the policy of the State Board without conferring with the city at all. The decision to make "equal inconvenience" the basis of new racial imbalance planning was a unilateral one and the result was the cessation of all planning to eliminate racial imbalance in Springfield.

Since the first two conditions of Weidner's theorem are reflected in the case study, it would appear to follow that the suggested consequences are sustained by the evidence in the present case:

1. the less cooperative will be the continuing relations, and

2. the greater chance there will be of the program being seriously curtailed or altered in a direction contrary to the values of the state administrators.

There is clear indication of the present relations between the state and local educational bureaucracies in the following news article:

State education officials have confused and alienated local school officials throughout the Bay State. This is a consensus of School Superintendents responding to state officials. In an apparent attempt to mend fences, state
Education Commissioner Neil V. Sullivan and top-level state educators will discuss problems and policies with school superintendents in six day-long regional workshops throughout the state.3

In addition, the Springfield School Committee seriously curtailed the plans for progress under the RIA when Commissioner Sullivan made good his promise to withhold state aid. Certainly, this was not the action which Commissioner Sullivan wanted the School Committee to take. But he had played his "trump card" and when that failed, he failed.

The reporter who covers school affairs for the Springfield Republican stated flatly when news of Dr. Sullivan's resignation became known:

What impact did this earth-shaking figure have on racial imbalance in Springfield, where he pitted himself against the Mayor, School Committee and a majority of residents who opposed busing? None at all. At least to date.4

Only because of the possibility that the court decision will go against Springfield, the question of his influence over Springfield remains open. But this is considered remote, especially in view of President Nixon's position on busing5 and the impressive support which the antibusing bills have garnered in Congress.

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On the day that Commissioner Sullivan's resignation was announced, a Boston newspaper editorialized:

...Sullivan is, as he has been since his arrival here, the symbol of forced busing...Sullivan has had the unqualified support of the State Board in his stand on school integration. Yet his departure unavoidably gives rise to the belief, possibly born of the hope, that it offers an unexpected opportunity for a new approach to a solution to this troublesome problem.

In a more conciliatory atmosphere, both the state and the city may yet be able to resolve their differences...There are many ways to desegregate schools...This is what has been overshadowed by the emotional busing issue in the clash of personalities of Commissioner Sullivan...and members of the Boston School Committee.6

Weidner's theorem stops short of taking into account dimensions other than the methods by which bureaucrats seek to gain compliance with their policies. We have looked at 1) the State Bureaucracy, 2) the perspectives of the two Boards, and 3) the community response, and found that they also had an effect on the way that the RIA was implemented in Springfield.

The State Bureaucracy

The State Department was never overhauled and reorganized to meet the demands which enforcement of the RIA

placed upon it. Until Commissioner Sullivan came, little money and few efforts were expended in this direction. Thus, at the critical time when bureaucratic policy-making had important consequences for the effectiveness of the RIA, the Department was unprepared to act efficiently, quickly and consistently. It was unable to give the technical assistance requested by local officials. These conditions exasperated the school officials who found their tasks under the RIA onerous enough. Thus, in the very beginning there was no time to develop cooperation, friendly negotiations and sympathetic understanding which were vital for the establishment of supportive attitudes for the goals of the RIA. The Department had few people capable of doing so even if there was the time. Finally the top-level officials did not seem to see a need for the fulfillment of these conditions. Beyond this, though the Department enjoyed a degree of support from the Legislature as to its ability to enforce the RIA, it was never the effective force for shaping legislation that it might have been. It never made recommendations to the Legislature for adapting the RIA to a changing society and new educational strategies. 7 Seven years after passage, in spite of widespread dissatisfaction with aspects of the law, it has not been amended.

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7 This assessment is based in part from the Harvard Report, Ch. 2, and also from State Representative Sisitsky, interviewed March 21, 1972.
Some of the ambiguous terminology in the RIA was identified in the discussion of the amount of discretion possessed by the State Board under this law. However, the Board members seemed to ignore or be ignorant of, the room for maneuvering this ambiguity allowed them.

At first, they moved quickly to the limit of the sanctions allowed by the law. Then, realizing the complexity of the problems, they relaxed somewhat and began to make efforts to help cities to develop acceptable plans. Recognizing the rapid changes in society and in educational strategies, they ordered a comprehensive study of the RIA, but in the meantime, continued to uphold the letter of the law. Later, after Commissioner Sullivan beefed up the Department, they decided on a policy of firm enforcement and full pressure was applied to recalcitrant Springfield. In terms of achieving the welfare goals of the RIA, this was probably the worst strategy they could have employed. Denial of state educational funds to local schools impedes the educational opportunities of the poor and Blacks more than any others in the school population. Special programs, teachers, teacher aides, etc. are all supported by these outside funds. Erosion of belief in the symbolic goals of the RIA had already begun when white parents were faced with the possibility of mandatory busing and when Blacks decided that community control of their own schools might be an alternative to integrated education for their children.
At any rate the State Department chose to structure and implement policy in this particular way; and in choosing to ignore the winds of change or in choosing to believe that the law would not allow them to recognize these changes, the Board's actions precluded attainment of the objectives of the law they had sworn to uphold.

We suggest that the Board chose a very narrow policy-making role for themselves. They did not exercise the discretion which Rourke has shown is available to them because of their expertise. They were concerned with being able to trace the source of authority for their actions to the "letter" of the law. In doing so, they were unable to accomplish the spirit of the law. The specter of irresponsible policy-making by bureaucrats who are faceless and unknown to the people whose lives and fortunes are affected by them is a disturbing one. Yet perhaps equally disturbing is the situation when bureaucracy fails to develop the effective policy which is needed, especially by the more complex and more urban areas.

**The Perspective of the Two Boards**

The means by which the members of the two school boards came into office substantially pre-determined the perspective with which they would view the RIA. Certainly no one who opposed the RIA would have ever been appointed to the State Board. This is not the situation on the
Springfield School Committee. Some of the members were philosophically opposed to the RIA; some of them were opposed to the methods by which the law was to be implemented.

But in addition, other serious questions were being raised all over the country about the rationale which motivated mandatory programs to end "de facto" segregation. These questions, based on the constitutional rights of citizens and the efficacy of integrated education for black students, resulted in wide disagreement among the members of the Springfield School Committee and between them and the State Board. And the amount of dissension and the degree of difference could not be dismissed even by the "Fiat!" of Commissioner Sullivan.

As convinced as he was of the moral "rightness" of his position, the majority of the Springfield School Committee was not so convinced. Moreover, studies have been completed which seriously question the strategy of integrated education. 8 There is also disagreement in

8 David J. Armour. "School and Family Effects on Black and White Achievement: A Reexamination of the U.S.O.E. Data." On Equality of Educational Opportunity. Edited by Mosteller and Moynihan. Chap. 5., p. 168-229. "The one set of policy issues which is probably the most debated in this area concerns the legislative integration of schools and neighborhoods...In other words, even those black students in integrated and higher social economic environments still achieve at a lower level than whites. The most likely explanation for this is that their individual family background is still more disadvantaged than that of white students in the same environment. The policy implication here is that programs which stress financial aid to disadvantaged
the field of education as to the most effective means of educating disadvantaged children so as to enable them to achieve an equal education.9

The Response of Springfield

Dr. Deady's concern for educating the community, for preparing the teachers and students for integrated education, for allowing community input in the plans for integration never received much attention from Dr. Sullivan.

black families may be just as important, if not more so, than programs aimed at integrating blacks into white neighborhoods and schools."

Also, James W. Guthrie. "What the Coleman Reanalysis Didn't Tell Us." Saturday Review: Education. Vol. 55 No. 30:45; July 22, 1972. Professor Guthrie reports on Mosteller and Moynihan's reanalysis of the Coleman Report and states that many of the contributors to the book "take pains to contradict those findings (Coleman's) and to document serious flaws in both the research and the conclusions".

9 For example see: Dr. Arthur Jensen; Dr. David C. McClelland; Dr. Sandra Scarr-Salapatek; Dr. Stevens. "Intelligence and Heredity". (A Symposium) Saturday Evening Post, Summer, 1972. Dr. McClelland: p. 14.

"Most recently in a very important social document on equality of educational opportunity, Coleman (1966) again showed that the quality of education (here in secondary school) seemed to have very little effect on the academic achievement test scores of children. That is, what test results seem to have shown over and over again in that quality of education makes no difference in improving competence."

In the Summer, 1972 issue of The Public Interest, Dr. Armbr, in his report on the Boston METCO study, explains that the above-mentioned aspect of Coleman's findings has been ignored by educational policy makers because: "...The implications were devastating to the rationale of the educational establishment in its heavy investment in school rehabilitative programs for the culturally deprived: the connection between public policy and social science does have its limitation." p. 95.
Indeed, Dr. Deady said that he and Commissioner Sullivan had never had a private "heart to heart" talk over the particular problems in Springfield in regard to the RIA.\textsuperscript{10}

Moreover, there was no attempt on the part of the State to include the professionals on the local level in the decision-making processes under the RIA. Dr. Sullivan was able to respond to the Black community's request that their neighborhood schools be preserved by withdrawing approval of the two suburban area schools but he did not seem to recognize that the same forces were at work in regard to community control of the DeBerry School. In spite of the State's insistence that the school be racially balanced, the city refused to remove unwilling black pupils to make places for white children.\textsuperscript{11} The School Committee voted to invite community participation in the selection of a new Principal and new staff for this inner-city school.\textsuperscript{12}

This case indicates that Weidner's theorem concerning bureaucratic administration has important consequences for the policy goals of bureaucracy. Application of the theorem to the situation in Springfield seems to suggest

\textsuperscript{10} Harvard Report. op. cit., p. 444.

\textsuperscript{11} Only 28 black parents in the DeBerry school's district were willing to have their children transferred out of their neighborhood school. Harvard Report, p. 394.

\textsuperscript{12} DeBerry is the only Springfield school, black or white, in which parents have this type of participation.
that the goals of the RIA would more likely be sustained by a new state educational bureaucracy sensitive to co-operative planning and with the ability to compromise, negotiate and bargain with professionals at the local level.

However, this case study of Springfield's experience with the Racial Imbalance Act would suggest more than simply a neat empirical fit into the Weidner theorem. The Springfield story would illustrate the importance of Rourke's exposition of the bureaucratic role in policy-making. The policy decisions made, not by the State Legislature but by the State Department of Education, have had and will continue to have far-reaching effects on all of the cities in Massachusetts which had racially imbalanced schools. It becomes most important therefore to understand not only bureaucracy's role in policy-making but also the impacts of bureaucratic policy-making upon the contents of public policy.
APPENDIX A.

Massachusetts State Board of Education (1965-1971)

<table>
<thead>
<tr>
<th></th>
<th>Appointed</th>
<th>End of Term</th>
<th>Reappointed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Banks*</td>
<td>1966</td>
<td>1971</td>
</tr>
<tr>
<td>2.</td>
<td>Borg*</td>
<td>1967</td>
<td>1972</td>
</tr>
<tr>
<td>4.</td>
<td>Densmore*</td>
<td>1968</td>
<td>1974</td>
</tr>
<tr>
<td>5.</td>
<td>Early*</td>
<td>1968</td>
<td>1974</td>
</tr>
<tr>
<td>6.</td>
<td>Finlay*</td>
<td>1966</td>
<td>1969</td>
</tr>
<tr>
<td>8.</td>
<td>Hardenbergh*</td>
<td>1972</td>
<td>1977</td>
</tr>
<tr>
<td>10.</td>
<td>Robinson</td>
<td>1966</td>
<td>1971</td>
</tr>
</tbody>
</table>

* Present Members of the Mass. State Board of Education

Average years of service on State Board - 4 years
APPENDIX B.

Springfield School Committee (1965-1971)

<table>
<thead>
<tr>
<th></th>
<th>Elected</th>
<th>End of Term</th>
<th>Years of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Coughlin</td>
<td>1963</td>
<td>1965</td>
</tr>
<tr>
<td>2.</td>
<td>Cyr</td>
<td>1961</td>
<td>1967</td>
</tr>
<tr>
<td>4.</td>
<td>DiMonaco</td>
<td>1955</td>
<td>1959</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1963</td>
<td>1971</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Hogan*</td>
<td>1963</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Hutner*</td>
<td>1967</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Lynch*</td>
<td>1949</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Wark</td>
<td>1969</td>
<td></td>
</tr>
</tbody>
</table>

* Present Members of the Springfield School Committee

Average years of service - 8.2 years
### APPENDIX C.

**Time Table of Racial Imbalance Plans**

<table>
<thead>
<tr>
<th>Date</th>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/65</td>
<td>First Plan from Springfield</td>
<td>Returned by Board for more details</td>
</tr>
<tr>
<td>2/66</td>
<td>First Plan, revised</td>
<td>Accepted provisionally</td>
</tr>
<tr>
<td>4/66</td>
<td>First Plan, second revision</td>
<td>Accepted as First-Step Plan</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Next plan due 10/66</td>
</tr>
<tr>
<td>10/66</td>
<td>No plan submitted</td>
<td></td>
</tr>
<tr>
<td>12/66</td>
<td></td>
<td>Board withholds $6 million in state aid</td>
</tr>
<tr>
<td>7/67</td>
<td>&quot;Watered down&quot; Plan</td>
<td>Refused by Board</td>
</tr>
<tr>
<td>8/67</td>
<td>State Board meets with School Committee</td>
<td></td>
</tr>
<tr>
<td>9/67</td>
<td>&quot;Watered down&quot; Plan with construction schedule</td>
<td></td>
</tr>
<tr>
<td>10/67</td>
<td></td>
<td>Approved $6 million released</td>
</tr>
<tr>
<td>1/68</td>
<td>Progress Report</td>
<td></td>
</tr>
<tr>
<td>11/68</td>
<td>Progress Report</td>
<td></td>
</tr>
<tr>
<td>3/69</td>
<td>Progress Report</td>
<td></td>
</tr>
<tr>
<td>7/69</td>
<td></td>
<td>Approved as Updated Plan</td>
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<tr>
<td>1/70</td>
<td></td>
<td>New updated plan needed</td>
</tr>
<tr>
<td>2/70</td>
<td></td>
<td>New updated plan requested</td>
</tr>
<tr>
<td>4/70</td>
<td>New Plan</td>
<td></td>
</tr>
</tbody>
</table>
### Time Table of Racial Imbalance Plans

<table>
<thead>
<tr>
<th>Date</th>
<th>City</th>
<th>State</th>
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</thead>
<tbody>
<tr>
<td>6/70</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12/70</td>
<td>Progress Report</td>
<td>Springfield &quot;on notice&quot; for failure to comply with RIA.</td>
</tr>
<tr>
<td>12/15/70</td>
<td></td>
<td>Board withholds $7.5 million</td>
</tr>
<tr>
<td>12/31/70</td>
<td></td>
<td>&quot;Equal Inconvenience&quot; policy announced</td>
</tr>
<tr>
<td>1/14/71</td>
<td>Springfield sues</td>
<td>Withholding Order withdrawn</td>
</tr>
<tr>
<td>1/71</td>
<td></td>
<td>New plan due</td>
</tr>
<tr>
<td>4/71</td>
<td></td>
<td>Extended deadline to 5/71</td>
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<tr>
<td>5/71</td>
<td></td>
<td>Temporary freeze of $5.5 million</td>
</tr>
<tr>
<td>6/71</td>
<td>Still no plan</td>
<td>Extended deadline to 6/71</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Board withholds $7.5 million</td>
</tr>
</tbody>
</table>
APPENDIX D

Racial Imbalance Act

Chap. 611. AN ACT PROVIDING FOR THE ELIMINATION OF RACIAL IMBALANCE IN THE PUBLIC SCHOOLS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to eliminate forthwith racial imbalance in the public schools; therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 1. Chapter 71 of the General Laws is hereby amended by inserting after section 37B the following two sections:

Section 37C. It is hereby declared to be the policy of the commonwealth to encourage all school committees to adopt as educational objectives the promotion of racial balance and the correction of existing racial imbalance in the public schools. The prevention or elimination of racial imbalance shall be an objective in all decisions involving the drawing or altering of school attendance lines and the selection of new school sites.

Section 37D. The school committee of each city, town and district shall, annually, at such time and in such form as the commissioner shall determine, submit statistics sufficient to enable a determination to be made of the per cent of nonwhite pupils in all public schools and in each school under the jurisdiction of each such committee. Whenever the state board of education finds that racial imbalance exists in a public school, it shall notify in writing the school committee or regional school district committee having jurisdiction over such school that such finding has been made. The school committee shall thereupon prepare a plan to eliminate such racial imbalance and file a copy of such plan with the board. The term "racial imbalance" refers to a ratio between nonwhite and other students in public schools which is sharply out of balance with the racial composition of the society in which nonwhite children study, serve and work. For the purpose of this section, racial imbalance shall be deemed to exist when the per cent of nonwhite students in any public school is in excess of fifty per cent of the total number of students in such school.

Said plan shall detail the changes in existing school attendance districts, the location of proposed school sites, the proposed additions to existing school buildings, and other methods for the elimination of racial
 imbalance. Said plan shall also include projections of the expected racial composition of all public schools. Any plan to detail changes in existing school attendance districts, the locations of proposed new school sites and proposed additions to existing school sites and proposed additions to existing school buildings, with the intention of reducing or eliminating racial imbalance, must take into consideration on an equal basis with the above-mentioned intention, the safety of the children involved in travelling from home to school and school to home. Said plan may provide for voluntary co-operation by other cities and towns in rendering assistance and in making available facilities to effectuate said plan.

No school committee or regional school district committee shall be required as part of its plan to transport any pupil to any school outside its jurisdiction or to any school outside the school district established for his neighborhood, if the parent or guardian of such pupil files written objection thereto with such school committee.

Said board may, from time to time, require each school committee to submit to said board a report on the progress of the plan and its implementation.

The supreme judicial and the superior court shall have jurisdiction in equity upon petition of the board of education to enforce the provisions of this section.

Section 2. Chapter 15 of the General Laws is hereby amended by inserting after section III the following three sections:

Section 11. The board of education shall provide technical and other assistance in the formulation and execution of plans to eliminate racial imbalance, made pursuant to section thirty-seven D of chapter seventy-one. Whenever the board determines that a school committee or regional school district committee has failed to file a plan in compliance with the provisions of said section, it shall consult with and make specific recommendations for a plan by such school committee or regional school district committee.

If, following the receipt of notification from the board of education that racial imbalance, as defined in section thirty-seven D of chapter seventy-one, exists, a school committee or regional school district committee does not show progress within a reasonable time in eliminating racial imbalance in its schools the commissioner of education shall not certify the amount of state aid for such city or town or for such towns which are members of such regional school districts, as required by section nine of chapter seventy, and the school building assistance commission upon receipt of notice from said board that racial imbalance exists shall not approve any project for school construction for such city, town or regional school district under chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, and the commissioner of education may notify the commissioner of corporations and taxation and the comptroller to hold such funds as have been so certified under said section nine but have not been disbursed. The commissioner of education may thereafter upon receipt of a plan acceptable to the board of education notify the commissioner of corporations and taxation and the comptroller to pay any such withheld funds to such city or town in such amounts and at such times as he may designate, and the school building assistance commission upon receipt of notice from said board that a plan acceptable to it has been received may approve such projects.
The school building assistance commission shall, notwithstanding any contrary provision of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, increase the amount of grants for schoolhouse construction to sixty-five per cent of the approved cost, whenever the board of education is satisfied that the construction or enlargement of a schoolhouse is for the purpose of reducing or eliminating racial imbalance in the school system and so notifies the school building assistance commission.

Section 1J. Within thirty days after (1) a school committee or regional school district committee declines to accept the recommendations submitted to it by the board or (2) the board disapproves a revised plan submitted to it by a school committee or regional school district committee, said committee may file a petition for judicial review in the superior court for the county in which it is located or in the supreme judicial court for Suffolk county. The court may affirm the board's determination of the recommendations submitted by it or its determination of disapproval of a revised plan submitted to it, and order compliance with the recommendations of the board by appropriate decree, or if it finds and rules that the determination by the board is (a) in excess of the statutory authority or jurisdiction of the board, or (b) based upon an error of law, or (c) arbitrary or capricious, an abuse of discretion, or otherwise not in accordance with law, then it may set aside such determination by the board and remand the matter to it for further action.

The supreme judicial and the superior court shall have jurisdiction in equity upon petition of the board of education to order funds withheld as provided in section one I for such period of time as the court may determine.

Section 1K. The board of education, with the advice of the commissioner, shall appoint an advisory committee on racial imbalance and no individual shall be appointed to this advisory committee on racial imbalance who has been listed in any state or federal document as being a member of a communist front organization. The members of the committee shall serve without compensation except that they may be reimbursed for the necessary expenses actually incurred in the performance of their duties.

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