

### **3D) The Malverne School Integration Plan - Racial justice or a violation of the rights of citizens?**

#### **1963- The Malverne School Integration Controversy Begins**

##### **Integration Plan for L.I. is Urged Allen Asked to End School Segregation in Malverne**

*New York Times, June 13, 1963*

Albany, June 12--Dr. James E. Allen, Jr., State commissioner of Education, was urged today to order the Malverne School District to reorganize attendance areas to end what was called de facto segregation. Robert L. Carter, a lawyer for the National Association for the Advancement of Colored People and counsel for a group of parents in the district, urged the adoption of a plan under which all pupils, white and Negro, in kindergarten through third grade, would attend two of the district's elementary schools. All pupils in the fourth and fifth grades would attend the third elementary school.

##### **Malverne Sit-In Continues Over School Imbalance, *New York Times, August 9, 1963***

A sit-in demonstration that started in the Malverne Junior High School last night to protest racial imbalance in the school district was expected today to continue indefinitely. The sit-in followed a board meeting in the school attended by more than 700 residents, about a third of them Negroes. The meeting had been preceded by picketing by about 175 members of the United Committee for Action Now, a group made up of members of the Congress of Racial Equality, the National Association for the Advancement of Colored People and religious and civic organizations.

During the two-hour meeting Floyd Hazel, chairman of the Lakeview Chapter of the N.A.A.C.P., read a statement asking . . . the School Board to halt further legal action to delay the correction of racial imbalance in the schools. Taxpayers and Parents, a group favoring the neighborhood school concept, warned of hostile demonstrations if the district was forced to integrate the schools.

##### **Malverne Plan Put Off, *New York Times, August 24, 1963***

Albany, Aug. 23--A Supreme Court action was brought here today to prevent the State Commissioner of Education from carrying out a program to correct racial imbalance in the Malverne, L.I., public schools. The father of a white girl slated to be transferred to the previously heavily Negro Woodfield Road School got a temporary stay halting the program. The immediate effect of the stay will be to prevent the reorganization from being carried out in time for the opening of school on Sept. 4.

##### **'Freedom School' on L.I. Enlarged Jewish Center and Church Donate Classrooms**

*New York Times, September 12, 1963*

Malverne, L.I. Sept. 11--A "freedom school" that had been set up in a church in Garden City has been expanded to include classrooms in a Jewish center and a Protestant Episcopal church here. . . . The 250 children attending the temporary school are boycotting the Malverne school district's Woodfield Road School, which is about 80 percent Negro, in an attempt to force the school board to end racial imbalance.

#### **Questions:**

- 1- How does the NAACP propose to end de facto segregation in Malverne?
- 2- How did Malverne respond to the State Education Commissioner's school integration plan?
- 3- What happened when a state court blocked the plan?
- 4- How do you think you would have responded to this controversy if you were a white parent living in the Malverne School District? A Black parent? Why?

## 1964 - 1965 - The Malverne School Integration Controversy Continues

### **Fights Shifts Based on Race, *Newsday, February 20, 1964***

Albany--State Sen. Norman F. Lent, Jr. (R.-East Rockaway), whose constituency includes the embattled Malverne School District, introduced two amendments to the state education law yesterday that would bar the transporting of school children to achieve integration. Lent's measures would outlaw the assignment of pupils to schools on the basis of race, color, religion or national origin.

A provision of the existing law prohibits the exclusion of a child from a public school on racial or religious grounds. In a precedent-setting decision last month, the State Supreme Court ruled in a case brought by Malverne citizens that this provision also barred the assignment of pupils to specific schools on such grounds. Lent's amendments would, in effect, make this decision part of the state education law.

"The purpose of this bill," Lent said, "is to prevent the commissioner of education from forcing local school districts to transport pupils out of their neighborhoods to distant schools solely for the purpose of achieving racial balance. It has become crystal clear that an overwhelmingly large majority of the public including a substantial portion of those who are sympathetic to the aims of desegregation, are opposed to dismantling the neighborhood school system in favor of mass transportation of Negro children to white area schools and vice versa, where the standard of education is found to be equal in all schools."

### **Malverne in Shift; Some Defy It, *Newsday, May 23, 1965***

Malverne--The long-delayed plan to end racial imbalance in this district's elementary schools went stumblingly into effect this morning as a number of unreconciled parents defied transfer of their children and played havoc with attendance figures at one elementary school.

About 140 white pupils and many of their parents confronted the principals at their old schools at school opening time and then went home, with many parents believing they will continue to defy the transfer to the Woodfield Road school for the rest of the week, then start sending their children to private classes they are organizing.

The protest and boycott were orderly but many children appeared confused by the unusual number of policemen and adults at the Woodfield school. One Negro 8-year-old first-grader, not accompanied by any adult, stood confusedly by the front door of the school for 15 minutes before the class-starting bell rang, then ran home. She has been attending the school regularly and was not transferred, but she apparently did not know what she was supposed to do today.

At the Davison school, about 55 parents and 20 fourth and fifth grade pupils reassigned to the Woodfield school confronted the principal, Ray T. Blank, in the gym-auditorium. He told them, "It is my responsibility to tell all of you here that it is the mandate of the commissioner of education that your children be transferred. We do not have either the teachers, the facilities or the equipment to handle your children . . . your children should be in attendance at the Woodfield Road school." A resounding "No" chorused from the parents when he asked them to go to the other school.

### **On Day of Reckoning, 4 Points of View, *Newsday, May 23, 1965***

Here are some of the things being said of today's pupil-transfer plan to end racial imbalance in Malverne schools.

State Education Commissioner James E. Allen, Jr.: This whole action is in the interests of the young people and their future. . . . I deplore any action which is designed to prevent the full implementation of the plan and the achievement of the objectives behind the plan, namely, the achievement of educational opportunities for all the children.

School Board President, Fred A. Hook: It means a reduced education program for grades four and five. . . . The Negro children are hurt more than the white children. They're the ones that have to travel the farthest and they cross the most dangerous highways in the community.

Ewell Finely, chairman of the United Committee for Action Now: What has happened here is that the Negroes have won the case and the . . . convenience of the Negroes is not being served.

Howard Williams, an official of Taxpayers and Parents: We are fighting fascism. . . . By the time it gets all done, we'll have nice little children, . . . but they'll just be things. . . . next year he'll (Allen) indoctrinate some kind of coloring device so everybody'll be the same color.

#### **Questions:**

- 1- Do you agree with involving children in the protests? Why or why not?
- 2- How do supporters of the Malverne school integration plan explain their position?
- 3- How do opponents of the Malverne school integration plan explain their position? Who do you agree with? Why?
- 4- If you had lived in Malverne during this period, would you have joined the protests? Why?
- 5- Write a short speech presenting your ideas.

6- Design a leaflet or poster that shows your position.

## **1966- Was the Battle Resolved?**

### **Malverne Schools Boycotted For Day, *New York Times, February 1, 1966***

Malverne, L.I. Jan. 31--Civil rights groups picketed schools today and students boycotted classes to protest a delay in a state-ordered plan to end racial discrimination in the school district. The State Education Commissioner, Dr. James E. Allen Jr., had originally ordered the school district to implement a plan today to end racial imbalance in the district's three elementary schools. Last Monday he postponed the date until March 1 or until five days after a case is decided in Federal Court in Brooklyn.

### **In Blockade to Slow Integration, *Newsday, February 21, 1966***

Malverne--Police arrested nine members of a mothers' group who blocked moving men readying the Davison Avenue School for integration today as some 60 white parents and children staged last-ditch demonstrations at two schools to preserve neighborhood schools in Malverne.

No arrests were made by policemen, however, at the Lindner Place School where some 40 demonstrators--who call themselves Mothers to Protect Neighborhood Schools--jammed a doorway. They sat on desks and prevented movers from getting classroom supplies into a van.

The arrests came at the Davison school after Assistant Superintendent Clement Wolff failed to talk the nine women and their children from getting down from the back of a van. "We sympathize with your feelings," said Wolff, "but the Commissioner of Education has ordered it. You have the right to picket but you do not have the right to interfere. If you interfere, you will be arrested."

At the Davison school, the signs read: "Schools Closed, Minds Closed, Education Is Dead;" "Van Plus Movers Equals O Classes;" "We Need ABCs--Not moving(*sic*)."  
Eight children carried small American flags at the Lindner school. The mothers stood their ground during the cold and sunny morning. . . . A mother said of the demonstration, "We feel that our freedom and liberty are being ignored in this experimentation. We're here as a protest and the children are here to learn about liberty and freedom."

### **L.I. Parents Open Secret Schools for White Pupils**

*New York Times, March 1, 1966*

Malverne, L.I. Feb. 28--A group of white parents began operating secret private schools here today so their children would not have to go to an integrated school assigned to them by the Board of Education. Richard Cummings of 15 Lynn Court, a spokesman for Mothers to Protect Neighborhood Schools, said 132 fourth and fifth graders have been registered to attend the private classes. Mr. Cummings explained that the parents of the children and the owners of the 12 homes where classes are being held had agreed not to make public the locations of the temporary schools to protect the "physical and psychological aspects" of the children. He said: the children were taught by qualified tutors either former teachers, retired teachers, or regular substitute teachers --and that all requirements of the State Education Department were expected to be fulfilled.

### **800 Pupils Boycott Malverne Schools, *New York Times, March 18, 1966***

Malverne, L.I., March 17--The public schools here were boycotted today in the latest of a series of protests against the state's order to end racial imbalances in the school district. White parents affiliated with Neighbors United to Save Our Schools kept their children out of the high school, junior high school and three elementary schools. About 100 pickets marched in front of the district's headquarters for two hours this morning and again tonight.

**Tutoring Is Rejected in Malverne, *Newsday*, March 12, 1966**

Malverne--School Superintendent Howard T. Herber said last night that private tutoring classes in 12 homes for children of parents protesting the racial balance plan are unauthorized and raised the possibility of legal action if they do not return to Malverne district public schools. Sponsors of the current tutoring classes say they will continue the classes at least until the end of the semester in June.

**Malverne Candidates Give Allen Plan Views, *Newsday*, April 27, 1966**

Malverne--A three-man slate of school board candidates pledged to abolishing the state-ordered integration plan here called last night in effect for defeat of the district's proposed budget because it contains "Allen-oriented monies."

**Malverne Elects School Plan Foes  
Backs Neighborhood Policy--Vote in Other Areas**

*New York Times*, May 5, 1966

Three candidates opposed to a state plan to end racial imbalance in the public schools were elected to the Malverne, L.I., school board Tuesday night. . . . The winning Malverne candidates, who are pledged to restore the neighborhood school policy, made a majority of the five. . . . The winners said they would set up a "free choice plan" under which parents would be permitted to choose which of the district's three elementary schools they wished their children to attend.

**Malverne School Board Asserts State Formula Aids Segregation**

*New York Times*, July 24, 1966

Malverne, L.I., July 23--The Malverne School Board has complained that a state-ordered plan to reduce racial imbalance in the district's elementary schools has brought an increase instead. The board said that more and more children were being sent to private schools and that Negro enrollment in September would be 59.4 percent.

**Malverne School Board Votes To End Last Segregated Class**

*New York Times*, August 12, 1966

Malverne, L.I. Aug. 11--The Malverne School Board, acting against a midnight deadline, voted last night to complete integration of the community's elementary schools by ending de facto segregation on the kindergarten level. The board acted with the knowledge that Dr. James E. Allen, Jr., the State Education Commissioner, was empowered to withhold financial aid to the school district and remove members of the board and act in their place if they did not comply with an integration order.

**Malverne School Board Alters State-Ordered Racial Program**

*New York Times*, October 20, 1966

Malverne, L.I., Oct. 19--The school board announced tonight what it called a "freedom-of-choice" plan under which parents may request transfers of children in kindergarten through the fifth grade to any of the three schools in the Malverne district. The new plan, which changes a state-ordered program designed to integrate elementary grades, will start Nov. 1.

**Malverne: The Long Fight, *Newsday*, May 3, 1966**

Malverne--Mrs. Joyce McCray, Negro mother of four, didn't recall the exact date of the meeting that started it all back in August 1962. "But I do remember it was a Sunday and the weather was cool for the middle of August," said Mrs. McCray, education director of the Lakeview Chapter of the National Association for the Advancement of Colored People. The purpose of the session was to plan a way of bringing racial balance to the Malverne School District's three elementary schools, and the chief strategist was Miss Shagaloff, special educational assistant for the NAACP.

By the time the meeting ended three hours later, the group had chose a course that was to split the community into two militant camps assailing each other for the next three years with lawsuits, picket lines, sitdown demonstrations, school boycotts and a general flurry of angry charges and countercharges. The group . . . decided to petition State Education Commissioner James E. Allen, Jr. to issued an order making Malverne the first school district in the state to be ordered to end de facto segregation in the elementary schools.

The appeal against the Malverne district charged the school board with promoting racial imbalance by refusing to build a new elementary school in a white neighborhood and by gerrymandering the district so that almost all Negro pupil were assigned to the Woodfield Road School, leaving the Davison Avenue and Lindner Place Schools with mostly white enrollment. It also accused the board of failing to equalize educational standards at the Woodfield Road School.

On June 18, 1963, Allen issued his far-reaching order for the Malverne district to end racial imbalance in its elementary schools by assigning pupils by grades instead of by neighborhoods. Allen order placing the kindergarten through third grades in the Lindner Place and Davison Avenue schools and the fourth through sixth in the Woodfield Road School.

By August, many residents in the district had mobilized into two major groups to wage war over the Allen plan. Much of the Negro community formed the Tri-Community Council for Intergroup Relations, which later became known as the United Committee for Action Now (UCAN). White parents with strong feelings on preserving the neighborhood school concept created the Taxpayers and Parents Association (TAP). Neighborhood districting remained in effect in 1964 and 1965 while a legal battle kept the plan in the courts. Judge John R. Bartels dismissed the case Feb. 11, and the board finally had to proceed with implementation of the plan.

Although the Allen Plan has finally been implemented in Malverne, the fighting seems far from over. Only last week, some women calling themselves Mothers to Protect Neighborhood Schools, called, their first meeting to plan further opposition to Allen's program.

**Assembly Is Tense In Busing Dispute  
Negro Leader and Nassau Member in Angry Exchange**

*New York Times, March 18, 1966*

Albany, March 17--The school integration issue, which has been seething out of public sight for the entire current session of the Legislature, boiled into the open today in an angry debate in the Assembly. The leader of the Negro bloc, Assemblyman Percy E. Sutton, normally a poised, controlled speaker no matter how emotional the issue, became so incensed that his voice almost broke as he replied to an argument against school busing by a Nassau Republican. "It sounds to me," Mr. Sutton said, glaring at Assemblyman John E. Kingston, "as though someone is saying that in chipping away at segregation and discrimination, we are intruding on the rights of others."

Accusing the Education Commissioner, Dr. James. E. Allen, Jr. of trying to establish a "racial quota system" in the schools, the Nassau Republican said: "It's not an issue of money but of the philosophy of government the Education Commissioner is trying to impose on us." All session long a small but tenacious group of legislators opposed to busing has been trying to get the issue to the floor. The group has both Democrats and Republicans and represents several areas, but the hard-core nucleus is the Nassau County bloc.

**Questions:**

- 1- Both Black and white residents of Malverne used protests and boycotts to win support for their positions. Do you agree with these types of protests? Why or why not?
- 2- Some white residents of Malverne argued that public officials unfairly favored Black groups. Do you agree or disagree? Why?
- 3- A white majority voted to oppose the school integration plans, but the State Education Commissioner imposed them anyway. In your opinion, should majority rule have been respected in Malverne or were other principles more important? Why?