

# CHICAGO

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THE RACIAL PATTERN IN Chicago is illustrative of the problem facing all urban centers of the North. By 1964 nearly all of Chicago's 930,000 Negroes were grouped in racially homogeneous residential areas of the South, West, and Near North Side of the city. In the decade between 1950 and 1960 alone, the Negro population had increased by 320,000 or 52.5%. During this same period a net 399,000 white residents left the city, many resettling in suburban areas. This transformation has continued with the Negro community now constituting at least 26% of Chicago's total population.

The changing racial character of the city has profoundly affected both the size and composition of the public school population. There has been a marked increase in total public school enrollment between 1950 and 1965, despite a net loss in numbers of children in Chicago. A high percentage of the suburban-bound white children, while in Chicago had attended parochial and other private schools. A very large majority of Negro children attend public schools. Coupled with the explosive growth in numbers of Negro children, this means that Negroes presently constitute a majority (52.1%) of the city's public elementary school enrollment. It is anticipated that, by 1980, Negro students in public elementary schools will increase by another 112,000 and, in public high schools, by 52,400 in spite of an overall decrease in the student population of 63,000 and 8,500 respectively.

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EDITORS' NOTE: *Adapted, by the staff of the Law & Society Review, from the report entitled "Race and the Public Schools of Chicago," 117 pp. The study was conducted for the United States Office of Education in 1965.*

Throughout the late 1950s the schools' response to these demographic changes came under fire. In the fall of 1961, Chicago's Board of Education endorsed a resolution authorizing the first survey of the city's school system in thirty years. At that time, the General Superintendent of Schools, Dr. Benjamin Willis, publicly announced, "I would like the record to show at this time . . . that I not only have no objection, but I, in fact, welcome, an exhaustive clear-cut study by responsible people of any and all aspects of this school system." The 1962 budget provided for an initial appropriation of \$100,000 for the survey, and three Board members were selected to serve on a special Survey Committee which faced the initial task of securing the services of a leading figure to direct the survey. This task proved arduous, and it was not until April 1963 that the Board's Committee persuaded Dr. Robert Havighurst to accept the directorship. Dr. Havighurst was known as an outspoken critic of the Chicago school system. He had advocated a regional high school plan that challenged the neighborhood school concept so resolutely defended by the school administration. When Professor Havighurst's appointment was announced it was enthusiastically applauded by the civil rights groups, the press, and civic organizations. But the jubilation was premature. Unknown to Professor Havighurst, the Committee had consulted neither the full Board of Education nor the Superintendent of Schools concerning his appointment. One annoyed Board member wrote, in a letter to his fellow members, ". . . there is nothing wrong with our school system that we cannot correct ourselves. Why employ outside talent to tell us what we already know? It is no secret that the Superintendent opposed the suggested survey." At the May 22 Board meeting Dr. Willis castigated the Board for its "lack of openness" with him. It became clear that a new arrangement would be necessary, and after a series of negotiations a "troika" plan was approved: a three-man committee was chosen, including Dr. Havighurst (Chairman), Dr. Willis, and a third member selected later—Dr. Alonzo Grace, Dean of the University of Illinois College of Education. Although the Board had reached a viable compromise, it had unfortunately placed the objectivity of the survey in question and had exacerbated the growing conflict between the Board, the Superintendent, and the community.

#### CONFLICT AND THE COURTS

The period from summer 1963 to summer 1965 was a stormy one for the Chicago public schools. In July 1963, there was a marathon sit-in at

the Board of Education offices to protest some recommended boundary changes which, according to CORE leadership, perpetuated a pattern of deliberate segregation. During August there were lie-ins at construction sites where mobile classrooms were to be installed; it was alleged that these so-called "Willis-Wagons" were a device to keep Negro children inside the ghetto. In October, in the midst of a stormy confrontation with the Board, the Superintendent suddenly offered his resignation. The Board, taken by surprise, refused to accept the resignation; Dr. Willis remained in the saddle. Later that same month the civil rights groups organized a one-day city-wide school boycott in which 224,770 students were absent—nearly half of the city's school population, including a significant number of white students. A second less successful boycott was held February 1964.

In March of 1964 an important report was issued on integration in the schools. This report and its genesis are described below. The recommendations of this report became the focal point of dispute, but the multiple controversies thus generated resulted in no significant Board action. Gradually these disputes became transmuted into the issue of renewing Dr. Willis' contract which was due to expire in the summer of 1965. For months the Board ignored the question, but by the spring of 1965 it could delay no longer. Beset by both friends and foes of Willis, the Board, on May 27 settled on a compromise solution: the Superintendent's four-year contract was renewed with the "understanding" he would retire on reaching age sixty-five in December 1966. In effect, he won a sixteen-month contract.

The events described above are only a shell of the controversies that took place during the two-year period. Each was a major crisis involving significant numbers of personalities and organizations. In a radically selective manner this discussion will focus primarily on the interplay between the courts and the Chicago Public School system.

Two separate legal developments deserve mention: (1) the court order which immediately preceded the Superintendent's sudden resignation in 1963, and (2) the out-of-court settlement which resulted in the Hauser Report and its recommendation.

#### A COURT ORDER AND THE SUPERINTENDENT'S RESIGNATION

In August 1963, while the "lie-in" protest of mobile classrooms was raging, Superintendent Willis proposed a permissive transfer proposal which, among other things, would have permitted high school students

in the top 5% of each grade level at certain schools to transfer to designated schools having "enriched classes." The idea of the program was to provide more advanced work and more contact with other talented students. On August 28 the Board of Education approved this plan, authorizing transfer from fourteen sending schools to twenty-four receiving schools. Of 474 students eligible under the plan, only 105 chose to transfer and not all were Negro.<sup>1</sup> In a system of several hundred thousand students, this was hardly a plan which would achieve a significant change in the racial character of the schools. Nonetheless, the civil rights spokesmen applauded the plan, and the advocates of "neighborhood schools" opposed the inclusion of predominantly white schools as recipients. On September 11, more than 500 parents from the all white Bogan High School District, after demonstrating at City Hall against open housing, marched on the Board of Education to protest the inclusion of their district as a receiving school. Dr. Willis spoke with a five-man delegation for forty-five minutes.

One week later, Dr. Willis, after consulting only the President of the Board, reduced the number of receiving schools from twenty-four to nine, eliminating Bogan from the list. The Superintendent said that it was necessary to prevent overcrowding, a puzzling statement in light of his original assurance that the transfer plan "will not adversely affect the size of any school or of any class size." Further, the maximum total influx into all the thirteen schools eliminated could not have exceeded forty-four students spread through four grades.

The Superintendent's unilateral action disappointed twenty-four Hirsch High School students who sought admission to two schools now eliminated—Hyde Park and South Shore. On September 25, the Board, with uncharacteristic firmness, came to the aid of these students and by a 9-0 vote, ordered Dr. Willis to issue transfers to the Hirsch students. Dr. Willis responded by terming the Board's action as only "suggestive"; he insisted that the transfers must be held in abeyance at least until

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1. Since no racial count was made and the "sending" schools were white, Negro, and integrated, it is impossible to ascertain the racial composition of the transferees. It is peculiar that no racial headcount was made of the transferring students. This was a unique opportunity to determine the extent to which white students use transfer privileges to escape Negro and integrated schools. A communication from the Office of the Superintendent suggests that such a tally "would involve racial records of children as individuals and these are not kept because of the State of Illinois law." Why the children could not be tallied anonymously as a group is not explained. This is precisely what is done in the annual headcounts.

October 9 because of crowding and the absence of space. (It should be noted that only three of the potential transferees had applied for Hyde Park High, a school with an enrollment of 3,720.) On October 1, 1963, the parents of four of the aspirant student transferees, three of them Negro, and two taxpayers from the Marynook community, filed suit in the Superior Court of Cook County seeking an injunction to force the Superintendent to comply with the Board directive by issuing the transfers. The day after the suit was filed, Superior Court Judge Arthur Sullivan ruled that the Superintendent would be required to carry out the order of the School Board and would be given twenty-four hours to comply or an injunction would be issued. Instead of accepting this ruling, Dr. Willis resigned as Superintendent of Schools, offering the rationale that the Board's action of September 27 was discriminatory as to honor students who were not permitted to transfer.

Dr. Willis' action caused an uproar in the city. Letters to the Board, demonstrations, editorials, and phone calls to key officials became the order of the day. On October 7 the Board, meeting in executive session, voted 6-2 to ask Dr. Willis to withdraw his resignation. On October 9, the Board withdrew its earlier directive on the transfer plan. Later the administration provided the means whereby the twenty-four Hirsch students, who were the pawns in the struggle, could attend Hyde Park and South Shore; but the record made plain that for the time being, forces other than the Board were to be decisive in school policy-making.

#### A COURT SUIT AND THE HAUSER REPORT

Two separate studies of the Chicago Public Schools were published in 1964: the so-called "Hauser Report" in March and the "Havighurst Report" in November. Since the Hauser Report was published first, it tended to have greater impact even though it was less extensive than the Havighurst study. However, neither study resulted in any substantial policy changes in the public schools. The Hauser Report was the outgrowth of a judge-negotiated out-of-court settlement,<sup>2</sup> reached in August 1963, by a group of Negro parents and the Board of Education. The suit charged the Board with, *inter alia*, the operation of a de facto segregated school system. As part of the settlement the Board agreed to set up an independent panel to study the problem of racial imbalance in the school system. The panel was made up of five nationally known educators who

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2. *Webb v. Board of Education*, Civ. No. 61C1569 D.C., N.D. Ill.

elected Dr. Phillip Hauser, Chairman of the Department of Sociology at the University of Chicago, as their chairman. The panel's report, issued on March 31, 1964, found that gross racial imbalance existed in the schools, that Negro schools tend to be more overcrowded both at the elementary and at the high school levels, that drop-outs and absences average higher in the Negro schools, that median Negro scores on ability and achievement tests were lower, that Negro schools have proportionately fewer experienced teachers and fewer teachers with advanced degrees, and that there is a significant degree of segregation of teachers. The point of the Hauser Report, however, was not to say that the school administration was solely to blame for this situation. The pattern of residential segregation insures a measure of school segregation, no matter how sensitive the administration. Further, the great overcrowding in Negro schools was at least in part the result of the rate of growth and lower average age in the Negro areas. Again, the placement of Negro and white teachers is at least partly the result of residential patterns and, additionally, of personal preference.

The point of the Hauser Report was to define a problem of immediate and pressing importance, viz., the existence of an educational system which fails to afford an equal opportunity for education to a substantial number of its students. Of the report's thirteen recommendations for alleviating that inequality, three focused on increasing racial balance in the schools. They included (1) the so-called cluster plan, (2) a transfer plan for relief of overcrowded facilities, and (3) strategic location of new facilities as well as changes in existing boundaries. Although the Board adopted the Report "in general principle" and despite the note of urgency sounded in the Report, none of these proposals was effectively implemented by the fall term. The older limited transfer plan was continued with the Superintendent failing to announce the eligible schools until October 9, 1964—several weeks after the beginning of the term. Only one of the several proposed clusters was ever implemented, and this failed to provide any substantial relief from racial imbalance, due partly to the way it was administered and partly to the seemingly inherent problems of voluntary transfer plans.

Since the Board took no forceful affirmative action, the litigation that prompted the Hauser Report was renewed.<sup>3</sup> The original out-of-court

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3. As of August 1967, the case was still pending on the passed case calendar. settlement had succeeded in establishing that racial imbalance does exist

and in stimulating some additional proposals to alleviate it, but, it failed to bring about any change in the status quo. Given the situation in Chicago, this failure was perhaps inevitable, but the point to note is that a legal proceeding *did* result in an out-of-court settlement providing for the Hauser study. The study had potential for generating changes in school policies regarding de facto segregation, though no substantial change was even seriously debated until over three years after the Report was issued.

#### WHAT CAN BE DONE?

Area stabilization is a vital prerequisite for solving the problem of balance in the schools but no one has found the key to secure it. In Chicago, where a wide variety of communities exhibit a multitude of socioeconomic characteristics, there may be no single key. Adaptability and flexibility are necessary. A deposit of experience must be accumulated through experimentation; exploratory efforts must be undertaken at once and on a much wider scale. A sense of immediacy alone will instill confidence in the community. Only with that confidence can the crucial job of securing quality education proceed unimpeded by constant disorder and distraction. The Board must continue to make clear in word and deed that area stabilization and integrated education, contain intrinsic positive value and that it means to pursue them even if it is difficult to achieve both or either.

#### EDITORS' POSTSCRIPT

Since the events recounted in this case study, no substantial changes in the racial balances of the city schools have taken place. However, several other events, which make the future of integration in Chicago look somewhat brighter, have occurred. After the "retirement" of Superintendent Benjamin Willis, the Board of Education appointed James F. Redmond to replace him. One of Redmond's early acts as Superintendent was to appoint a set of committees and consultants to undertake a comprehensive plan to integrate the public schools. The 200-page report entitled *Increasing Desegregation of Faculties, Students, and Vocational Education Program*, is probably the most ambitious plan yet offered for the integration of a major city. The report, which has come to be known as the "Redmond Plan" urges a direct attack on every phase of de facto segregation in the city's public school system by suggesting detailed

measures to insure long-range and stable integration. The report includes:

1. a comprehensive and concrete plan to integrate all the faculties in the system;
2. a plan for upgrading and integrating the several vocational high schools;
3. a set of plans for establishing and maintaining boundaries and student assignment policies to insure stable, integrated schools at *all* grade levels.

It is this last point that contains the most far-reaching and radical provisions. The committee calls for a three-phased attack on school segregation—short, medium, and long-range. The short-range plans call for immediate action, to be implemented in existing facilities through the adoption of strict racial quotas in fringe schools by creating and maintaining discontinuous attendance areas, each comprising a fringe Negro neighborhood and a white neighborhood in a remote area of the city, unthreatened by racial change in housing. The Negro students would be bused to the white school in these areas where their proportions would not exceed 15% in any elementary school and 25% in any high school. This short-range phase would hopefully take the pressure off the changing neighborhood schools and assist in stabilization. The middle-range phase of the plan envisions the creation of very attractive and specialized magnet schools around the rim of the city and on man-made peninsulas in Lake Michigan. The long-range plan calls for the older neighborhood schools to be phased out over a thirty year period and replaced by twenty to thirty educational parks each starting with a magnet school as its nucleus and each housing eventually around 20,000 students from kindergarten through high school. These schools would have the effect of attracting fleeing whites because of their unexcelled facilities and curricula, and their strictly maintained racial proportions.

Completed in the summer of 1967, this report was submitted to the Board of Education by Superintendent Redmond. On August 23, 1967, the Board overwhelmingly resolved to accept the short and intermediate term proposals with only minor changes, and approved feasibility studies for implementation of some of the longer term proposals. Following the Board's action the "Redmond Plan" was the source of continued debate and headlines in the Chicago newspapers. Generally, the papers edi-



torialized in favor of most of the proposals, and civil rights organizations came out strongly in favor of the plan. However, support has by no means been unanimous; attacks have been leveled against it by some of the more militant civil rights organizations, as well as by many whites. While it is impossible at this time to determine with any precision the extent of public support for the plan, it has probably received considerably more favorable publicity and support than was originally expected.

However, it cannot be emphasized too much that the adoption of a policy statement does not insure its implementation. Public policy, particularly in Chicago,<sup>4</sup> has a characteristic manner of being substantially less than what is envisioned by its planners. There is no reason to expect that the Redmond Plan will not follow the same general pattern of radical modification, if and when it is transformed from a set of proposals to a working plan. Nevertheless, the fact that it was drawn up and presented to the Board by an enthusiastic superintendent is a significant step forward from the previous school administration's position. And perhaps what is even more amazing is the response by the Board, which adopted the far-reaching plan without major modification or objection.<sup>5</sup> This in itself is a significant change from past practices, where even the attempt to discuss the problems of segregation and integration were thwarted by an intransigent superintendent, who virtually refused to acknowledge the existence of a racial problem in the schools. The present administration and Board have now committed themselves unequivocally to a policy of racial integration in the city's schools. To this extent some progress has taken place.

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4. E. BANFIELD, *POLITICAL INFLUENCE* (1961).

5. One irony of the Board's action is that the radical new plan which unabashedly embarrasses racial quotas was accepted despite the decision by the Illinois Supreme Court just weeks before which held unconstitutional that section of the Illinois Armstrong Act which provides that racial distribution be a consideration in school zoning. See the editors' postscript in the Evanston study for a discussion of this decision, *Tometz v. Waukegan City School District*, Docket No. 40292, Agenda 237.