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IN THE
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1969

Case No. ... **38**.. **ORIG.**

STATE OF ALABAMA,
Plaintiff,

vs.

ROBERT FINCH, in His Capacity as Secretary of the United States
Department of Health, Education and Welfare, and
JOHN N. MITCHELL, in His Capacity as
Attorney General of the United States,
Defendants.

MOTION FOR LEAVE TO FILE COMPLAINT
and
COMPLAINT

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Defendants.

MOTION FOR LEAVE TO FILE COMPLAINT

Comes the State of Alabama and, acting pursuant to
Rule 9 of the **Rules of the Supreme Court of the United
States**, begs leave from this Honorable Court to file its
Complaint attached hereto, which, stating a case or con-
troversy between a state and citizens of other states, is
cognizable under the "original jurisdiction" of this

Honorable Court, as defined in the Constitution and Statutes of the United States.

Respectfully submitted

ALBERT P. BREWER
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JOHN N. MITCHELL, in His Capacity as
Attorney General of the United States,
Defendants.

COMPLAINT

The State of Alabama, by its Governor, Albert P. Brewer, brings this action against the Defendants John N. Mitchell and Robert Finch, and for its cause of action, states as follows:

1. The jurisdiction of this Court is invoked under Article III, Section 2, Clause 2 of the Constitution of the United States, and 28 **U. S. C.**, Section 1251(b).

2. The Defendant John N. Mitchell is a citizen of the State of New York and is Attorney General of the United States, with his office in the District of Columbia. Under Title 42 **U. S. C.**, Section 2000 c-6, he is charged with the responsibility of initiating actions in appropriate United States District Courts throughout the 50 states to effectuate “the orderly achievement of desegregation in public education. . . .”

3. The Defendant Robert Finch is a citizen of the State of California and is Secretary of the Department of Health, Education and Welfare of the United States. Under Title 42, **U. S. C.**, Section 2000d, *et seq.*, he is required to deny “federal financial assistance” to public school boards throughout the 50 states which fail to comply with regulations (Part 80, Title 45, **C. F. R.**) promulgated by said Secretary for the purpose of achieving desegregation in the public schools.

4. All public school systems in the State of Alabama, acting in compliance with regulations issued by Defendant Finch, through the Department of Health, Education and Welfare and/or Court Orders emanating from suits initiated by the Defendant Mitchell are in the process of formulating and implementing plans for total desegregation which provide, *inter alia*:

(i) that all students, both black and white, must attend integrated schools;

(ii) that virtually all schools attended by only one race—either black or white—must be eliminated; and

(iii) that **all** schools in a school system must have approximately the same ratio of black to white teachers as prevails in the system as a whole,

so that, within a very short time, all schools in the State of Alabama will be totally desegregated.

5. The Plaintiff is informed and believes and on such information and belief avers that:

(i) the Defendant Attorney General has received numerous written complaints, from parents or groups of parents living in states other than Alabama, asserting that children are being “deprived by a school board of the equal protection of the laws” as described in Title 42 **U. S. C.**, Section 2000 c-6;

(ii) said Defendant has failed or refused to investigate whether such complaints are meritorious, whether such complainants are unable to initiate an action, and whether “appropriate legal proceedings” would materially further the “orderly achievement of desegregation in public education,” as he is required to do by Title 42 **U. S. C.**, Section 2000 c-6, and as he has done in Alabama;

(iii) said Defendant has failed to give said school systems notice of such complaints; and, as he is required to do by Title 42, **U. S. C.**, Section 2000c-6, and as he has done in Alabama;

(iv) said Defendant has failed to initiate appropriate legal actions in the various District Courts to rectify said deprivations, as he is required to do under Title 42, **U. S. C.**, 2000c-6, and as he has done in Alabama.

The Plaintiff is informed and believes, and on such information and belief avers that the Defendant Attorney

General has initiated only seven suits authorized by Title 42, U. S. C., Section c-6, in states outside the States of Alabama, Virginia, North Carolina, South Carolina, Tennessee, Georgia, Florida, Mississippi, Louisiana, Arkansas and Texas (these 11 states hereafter being referred to as the "Southern States").

6. The Plaintiff is informed and believes, and on such information and belief avers that:

(i) the Defendant Robert Finch has investigated all of the 2,994 public school districts located in the Southern States, to determine whether such districts have formulated and are implementing racial integration plans which comply with the regulations promulgated by Defendant's Department of Health, Education and Welfare; and,

(ii) that said Defendant has investigated for this purpose only 46 of the thousands of school districts located in other states.

7. In its report of January 4, 1970, a copy in part of which is attached hereto and made a part hereof as Exhibit "A", the Department of Health, Education and Welfare noted that the problem of school segregation is one of "nationwide" scope. This report reflects (Table 1-A) that in many states outside the South—states in which no suit has been brought by Defendant Mitchell and no investigation made by Defendant Finch—large numbers of Negro students are attending virtually "all-negro" schools (95 to 100 per cent negro), e. g.:

States	Percentage of Negro Students Attending Virtually "All-Negro" Schools (95-100% Negro)
California	47.8%
Colorado	45 %
District of Columbia	89.2%
Illinois	72.4%
Indiana	43.5%
Kansas	31.8%
Maryland	52.6%
Michigan	46.4%
Missouri	66 %
Nebraska	35 %
Nevada	39.5%
New Jersey	32.8%
New York	35.8%
Ohio	42.8%
Oklahoma	48.3%
Pennsylvania	44.1%
Wisconsin	24.9%

Said Report also reveals that in many school districts outside the South, which districts have not been made the object of a Justice Department suit or an investigation by the Department of Health, Education and Welfare, large numbers of negro students have been relegated to virtually "all-negro" schools (95 to 100 per cent negro), e. g.:

School District	Percentage of Negro Students Attending Virtually “All-Negro” Schools (95% to 100% Negro)
New York, N. Y.	43.9%
Los Angeles, Calif.	78.5%
Chicago, Ill.	85.4%
Detroit, Michigan	59.1%
Philadelphia, Pa.	59.8%
Baltimore City, Md.	75.8%
Cleveland, Ohio	79.9%
Washington, D. C.	89.2%
Milwaukee, Wisc.	47.5%
St. Louis, Mo.	86.2%
Denver, Colo.	55.3%
Boston, Mass.	33.6%
Cincinnati, Ohio	33.9%
Tulsa, Okla.	60.6%
Pittsburgh, Pa.	42.7%
Newark, N. J.	75.8%
Oklahoma City, Okla.	79.7%
Kansas City, Mo.	67.3%
Buffalo, N. Y.	61.1%
Wichita, Kan.	47.4%
Oakland, Calif.	46.9%
Omaha, Neb.	38.3%
Toledo, Ohio	41 %
Dayton, Ohio	77.1%
Fresno, Calif.	72.5%
Louisville, Ky.	52.7%
Gary, Indiana	80.8%

Plaintiff avers that, because of the Defendants' failure or refusal to take enforcement actions, pursuant to their statutory duties, with respect to the aforementioned states and school districts similar to that which they have taken and

are taking in Alabama, large numbers of Negro students in those states and districts will continue to experience a segregated education, whereas in Alabama, as a result of actions taken by Defendants, virtually no Negro student will experience a segregated education after 1969.

8. Records in the files of the Department of Health, Education and Welfare reveal that many school systems located outside the Southern States, which have not been made the objects of Justice Department suits or investigations conducted by the Department of Health, Education and Welfare, are maintaining "all-negro" schools, *e. g.*:

School District	Number of "All-Negro" (99 to 100% Negro) Schools
Chicago, Ill.	208
Los Angeles, Calif. School Dist.	65
District of Columbia	114
Indianapolis, Ind.	17
Gary, Ind	21
Baltimore City Public Schools, Md.	89
Detroit Public Schools, Mich.	67
St. Louis, Mo.	83
Kansas City School District, Mo.	19
Newark, N. J.	27
New York City Public Schools, N. Y. ..	114
Cleveland, Ohio	57
Dayton, Ohio	14
Oklahoma City, Okla.	15
Philadelphia, Pa.	63
Pittsburgh City, Pa.	13
Milwaukee, Wisc.	12
Buffalo, N. Y.	16

Plaintiff avers that because of Defendants' failure or refusal to take enforcement action, pursuant to their stat-

utory duties, with respect to the aforementioned school systems, those school systems, and many others outside the Southern States will continue to perpetuate many “all-negro” schools, in violation of the Fourteenth Amendment to the Constitution of the United States and in violation of the Acts of Congress, the Defendants are charged with enforcing, whereas virtually no “all-negro” school will be maintained after 1969 in the State of Alabama.

9. Records in the files of the Department of Health, Education and Welfare reveal that many school districts located outside the Southern States, which have not been made the objects of Justice Department suits or investigations conducted by the Department of Health, Education and Welfare, have not made serious attempts to integrate their faculties or to have each school in the system reflect the ratio of white to black teachers as prevails in the system as a whole, *e. g.*:

School District	Ratio of White to Black	Number of Schools Without a Single Negro Faculty Member
Los Angeles, Calif. . . .	6—1	228
Chicago, Ill.	2—1	228
New York City, N. Y..	9—1	221
Cleveland, Ohio	2—1	36
Columbus, Ohio	9—1	49
Denver, Colo.	17—1	80
Indianapolis, Ind.	6—1	108
St. Louis Metro. Area	4—1	178
Omaha, Neb.	16—1	77
Patterson, N. J.	9—1	42
Cincinnati, Ohio Metro.	8—1	61
Columbus, Ohio Metro.	9—1	127

Plaintiff avers that, unless the Defendants take, or are required to take, effective enforcement actions with re-

spect to the aforementioned school districts, those districts will not integrate their faculties, all in violation of the Fourteenth Amendment to the Constitution of the United States, the Acts of Congress which Defendants are charged with enforcing, and the regulations promulgated by Defendant Finch, whereas there will be complete racial integration of all faculties in Alabama, as the result of actions taken by Defendant Mitchell and Defendant Finch.

10. Plaintiff avers that Title IV (Title 42, **U. S. C.**, § 2000 c-6, *et seq.*), and Title VI (Title 42, **U. S. C.**, § 2000 d, *et seq.*) of the Civil Rights Act of 1964 (hereinafter the "Act") which prescribes the Defendants' duties, as referred to in the preceding paragraphs of this Complaint, are applicable in all states of the United States, as is the "equal protection" clause of the Fourteenth Amendment of the United States Constitution, which Titles IV and VI of the Act were enacted to implement. Plaintiff further avers that the Defendants have arbitrarily and discriminatorily refused to apply Titles IV and VI in all states of the United States, and have instead applied and sought to enforce them only in Alabama and the 10 other Southern States, in violation of the clear language and intent of said Act, the Fifth Amendment to the Constitution of the United States, the Fourteenth Amendment to the Constitution of the United States, and Article IV of the Constitution of the United States.

11. The discriminatory and arbitrary actions of the Defendants in enforcing the Act within the State of Alabama, while not enforcing the Act outside the Southern states and thereby permitting racially segregated education to exist in those non-Southern states, has caused and is causing serious and irreparable harm to the State of Alabama, its public school system, and its economy, as follows:

(a) Desegregation of the public school systems in Alabama, pursuant to Defendants' actions, has resulted in administrative difficulties and confusion in those systems, and conditions among students and teachers which make the Alabama public schools substantially less attractive places for school administrators and teachers to work, as compared to schools in those states where Defendants have not taken similar enforcement action; these circumstances have resulted in Alabama losing a significant number of administrators and teachers to the public schools in other states to the gross detriment of Alabama schools and the quality of education afforded the children of Alabama; and in terms of recruiting and keeping administrators and teachers, Alabama has been put in a position of serious competitive disadvantage with respect to other states in which Defendants have not taken steps to desegregate the public school systems; and

(b) The unsettling and confusing conditions brought about in the Alabama public schools by Defendants' enforcement actions have made it much more difficult to maintain public support for the public schools and to raise badly needed public revenue for various school systems, whereas this has not been a factor in those states where Defendants have not taken similar enforcement actions; and

(c) Desegregation of the public school systems in Alabama has substantially affected the quality of education in Alabama in that thousands of students are leaving the public schools to attend private schools, whereas this has not occurred in states in which the Defendants have not taken steps to desegregate the schools; and

(d) Because of the detrimental consequences of Defendants' actions on the Alabama public schools, the State is finding it increasingly difficult to attract and maintain

new business and industry for the economic support and well being of the people, and is experiencing a pronounced competitive disadvantage, in attracting industry, when compared to those states where Defendants have not taken similar enforcement action.

12. The State of Alabama brings this action (i) in its sovereign capacity as a state, to protect its interests in its public school systems and its economy; and (ii) as *parens patriae* to protect the interests of all its citizens in their rights to a public education of reasonable quality and in their economic well being.

13. A controversy of a justiciable nature exists between the parties in that:

(a) the Plaintiff contends that the mandate to the Defendants, found in Titles IV and VI of the Act, cannot be implemented and enforced in Alabama unless it is also implemented and enforced in all the other states of the United States;

while on the other hand,

(b) the Defendants contend that the mandate to the Defendants, found in Titles IV and VI of the Act, can be implemented and enforced in Alabama without giving it equal force in the other states of the United States.

WHEREFORE, your Plaintiff prays:

(1) That the Defendants John N. Mitchell and Robert Finch in their respective official capacities as Attorney General and Secretary of the Department of Health, Education and Welfare, be made parties Defendant to this Bill of Complaint by appropriate legal process and be required to plead or answer hereto in the manner prescribed by law and the rules of this Court.

(2) That this Court will appoint a special Master to take evidence in this cause, if any factual allegations in this Complaint be disputed by Defendants.

(3) That upon a final hearing of this cause, this Court will enter a Declaratory Judgment or Decree, as provided for in Title 28 **U. S. C.**, Section 2001, determining and declaring the rights, status and legal relations of the parties with respect to:

(i) whether the Fourteenth Amendment of the Constitution of the United States applies equally in all 50 States of the United States as it does in Alabama and the Southern States;

(ii) whether Titles IV and VI of the Act should be construed to apply equally in all States of the United States; and

(iii) whether the Defendants' application of Titles IV and VI of the Act in Alabama, while the Defendants refuse to apply Titles IV and VI in other States which have at least as much segregation in the public schools as Alabama, is not an unlawful and unconstitutional application of Titles IV and VI of the Act in Alabama, all in violation of the "Due Process" clause of the Fifth Amendment of the Constitution of the United States.

(4) That upon a final hearing of this cause, this Court will enjoin the Defendants from:

(a) failing or refusing to discharge their duties, prescribed in Titles IV and VI of the Act, in all States of the United States; or

(b) alternatively, from proceeding further against any school system in Alabama in the discharge of their duties prescribed by Titles IV and VI of the

Act, unless they also proceed, on an equal basis, against all school systems similarly situated, in all States of the United States.

(5) That this Court will grant to the Plaintiff all other further, general and appropriate relief to which it may be entitled under the circumstances.

Respectfully submitted

ALBERT P. BREWER
Governor of Alabama

DANIEL J. MEADOR

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Of Counsel

Certificate of Service

I hereby certify that copies of the foregoing "Motion for Leave to File Complaint" and "Complaint", were served upon the Solicitor General, Department of Justice,

Washington 25, D. C.; John Mitchell, Attorney General, Department of Justice, Washington 25, D. C.; and Robert Finch, Secretary, Department of Health, Education and Welfare, Washington, D. C., by depositing copies of same in the United States Post Office, with first class postage prepaid, addressed to the foregoing persons at the addresses described above on this the ... day of January, 1970.

.....
Attorney for the Plaintiff

APPENDIX.

EXHIBIT "A"

HEW NEWS

U. S. Department of Health, Education, and Welfare
Office of the Secretary
Washington, D. C. 20201

GALL 962-2034
Home 965-1554

FOR RELEASE, SUNDAY
January 4, 1970

Secretary of Health, Education and Welfare Robert Finch said an analysis of 1968 national school survey statistics and 1969 field audits indicate that school districts implementing voluntary desegregation plans are making significant and effective progress in providing an equal educational opportunity.

In contrast with these findings, the 1968 survey displayed a shockingly low desegregation ratio on a national basis, with only 23.4 percent of the Negro students in the Nation's public elementary and secondary schools attending schools of predominantly white (non-minority) enrollment, and with 61 percent of the Negro students isolated in 95 through 100 percent minority schools, Secretary Finch said (Table 1-A).

The survey of ethnic data in schools, the first of its kind taken on a national basis, was conducted in the Fall of 1968. It covered all school systems with enrollments of more than 3,000 and a sampling of smaller districts in every state except Hawaii, and represented a total of 43,353,567 students. HEW's Office for Civil Rights col-

lected the data, and completed the basic compilation last week, on a state, regional and selected urban district basis.

In releasing the information, Secretary Finch stated:

“While it should be recognized that a number of factors must be evaluated in determining the overall quality of education going to racially isolated children, these figures are indicative of the progress that has been made in providing equal educational opportunity for thousands of children. But this survey also points up the extensiveness of the problem on a nationwide basis and the need to provide effectively for the educational rights and needs of the disadvantaged no matter where they may be.

“This Department is committed to equal and quality education for all children in this Nation. It is our hope other Federal agencies along with this Department will make use of this data, not only to determine where further review and action under civil rights laws may be required nationally, but also as an indication of where further assistance can be provided in the effort to improve educational opportunity.”

In 1968, there were 55 school districts which submitted acceptable plans under Title VI, which called for desegregation in the 1968-69 school year. Of the 35,815 Negro students in these districts, 31,089, or 86.8 percent, attended schools of predominantly white enrollment. This compared with the 23.4 percent desegregation figure nationally, the 18.4 percent figure for 11 Southern states, and the 10.5 percent figure for the 5 Southern states of Alabama, Georgia, Louisiana, Mississippi and South Carolina, and indicates the value of the Title VI program.

In 1969, the indicated volume of desegregation in formerly dual school system states accelerated significantly, with more than 200 Title VI plans calling for complete

desegregation in the 1969-70 school year accepted, and over 100 calling for substantial desegregation steps in the same year. The average student population in these districts was considerably higher than in 1968. Although precise desegregation ratios for 1969 have not yet been collected or compiled for all districts, some early results of audits in certain states show that among 20 districts in Florida which submitted plans for 1969, the desegregation rate climbed from 45.1 percent in 1968 to 63.5 percent this year; among 31 districts in Georgia with acceptable plans this year, the rate climbed from 26.6 percent to 59.7 percent, and among 14 districts in Mississippi, the rate climbed from 31.7 to 69.1 percent.

HEW administers Title VI of the 1964 Civil Rights Act where it applies to schools, prohibiting Federal financial assistance to any district which discriminates on grounds of race, color or national origin. Districts found to be discriminating have been able to retain their Federal funding by submitting acceptable desegregation plans.

Leon E. Panetta, Director of the Office for Civil Rights, said, "Although desegregation ratios have improved in certain former dual system states during the current 1969 school year, these 1968 figures do present what can be considered the basic nationwide picture today."

Data was compiled in such a way as to measure the extent to which American Indian, Negro, Oriental and Spanish-surnamed minorities attended school with students of their own minority plus other minorities, and compared this rate with their enrollment in schools of 50 percent or more white, non-minority makeup.

Mr. Panetta said:

"With the aid of thousands of cooperating state and local school officials who submitted raw data, we can

see a stark portrayal of ethnic isolation in schools. Whether a child is isolated with his own or other minorities, he is still likely to suffer educationally as a result of this segregation, according to numerous education studies.

“It would be our hope that this information, which will eventually be published on a district-by-district basis, would also be of assistance to state and local agencies and organizations engaged in breaking down barriers of racial isolation in education.”

Of the Spanish-surnamed students in public schools, 45.3 percent attended a school of predominantly non-minority enrollment, while 16.6 percent were in 95 through 100 percent minority schools (Table 1-B).

American Indians surveyed attended school at a rate of 61.7 percent in schools of predominantly white, non-minority enrollment, while 16.7 percent were in 95 through 100 percent minority schools. These 177,464 American Indian students did not include some 52,400 American Indian students who attended schools administered by the Interior Department's Bureau of Indian Affairs (Table 1-C).

Orientals attended predominantly non-minority schools at a rate of 72.2 percent, and attended 90 through 100 percent minority schools at a rate of 8.7 percent (Table 1-D).

When the white, non-minority enrollment patterns are compared with minorities, data shows that 2.1 percent of the non-minority students are in 50 percent or more minority schools, while 16.5 percent are in 100 percent white schools. 65.6 percent are in 95 through 100 percent white schools, however (Table 1-E).

Other findings were made on a region-by-region and state-by-state basis. Also, data on Negroes from the 100

largest school systems were singled out for special study and released at this time, as were data on Spanish surnamed students from certain appropriate districts of the 100 largest (Table 2-A, B and C; 3 A and B; 4 A and B).

In a regional study of Negro segregation, for example, the study showed that there is a great variation in the number of Negroes attending 100 percent minority schools, from six heavily industrial Northern states, where 15.4 percent of the Negroes attended 100 percent minority schools, to six Border states and the District of Columbia, where 25.2 percent of the Negroes attended 100 percent minority schools, to five deep Southern states, where 81.9 percent of the Negroes attended 100 percent minority schools. (This last figure is based on 431 districts in five states out of 4,477 districts in 17 Southern and Border states) (Table 2-A.)

The Office for Civil Rights is preparing all of the data gathered from school districts in the 1968 survey for publication, and expects to prepare additional tables leading themselves to additional analysis of minority school enrollment patterns. In the current school year, a selective survey will be made, tailored to fit the needs of civil rights compliance agencies of the Government. In 1970-71, however, another nationwide survey is intended, which will permit comparison with the 1968 survey.

TABLE 1 - A

NEGROES BY STATE

Number* and Percentage Attending School at Increasing Levels of Isolation
F. 11, 1968 Elementary and Secondary School Survey

STATE	TOTAL NO. OF STUDENTS	PCT. OF TOT. STUD.	NEGROES ATTENDING:				50-100% MINORITY SCHOOLS				95-100% MINORITY SCHOOLS				99-100% MINORITY SCHOOLS				100% MINORITY SCHOOLS			
			NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.
CONT. U.S.	43353567	6282173	14.5		1467291	23.4	4814881	76.6	3832843	61.0	3331404	53.0	2493398	39.7								
ALABAMA	770323	269248	34.9		22308	8.3	246940	91.7	244693	90.9	243269	90.4	230448	85.6								
ALASKA	71797	2119	3.0		2119	100.0	0	0.0	0	0.0	0	0.0	0	0.0								
ARIZONA	366459	15783	4.3		5272	33.4	10511	66.6	4349	27.6	3344	21.2	790	5.0								
ARKANSAS	415613	106533	25.6		24091	22.6	82442	77.4	78901	74.1	77703	72.9	75797	71.1								
CALIF.	4477381	387978	8.7		87255	22.5	300723	77.5	185562	47.8	115890	29.9	27986	7.2								
COLORADO	519092	17797	3.4		5432	30.5	12365	69.5	8017	45.0	2862	16.1	0	0.0								
CONN.	632361	52550	8.3		22768	43.3	29782	56.7	9601	18.3	2254	4.3	328	0.6								
DELAWARE	123863	24016	19.4		1225	54.2	10991	45.8	5177	21.6	953	4.0	0	0.0								
DIST. COL.	148725	139006	93.5		1253	0.9	137753	99.1	123939	89.2	95608	68.8	38701	27.8								
FLORIDA	1340665	311491	23.2		72333	23.2	239158	76.8	224729	72.1	215824	69.3	184074	59.1								
GEORGIA	1001245	314918	31.5		44201	14.0	270717	86.0	262689	83.4	259891	82.5	240532	76.4								
IDAHO	174472	415	0.2		415	100.0	0	0.0	0	0.0	0	0.0	0	0.0								
ILLINOIS	2252321	406351	18.0		55357	13.6	350984	86.4	294066	72.4	252225	62.1	156869	38.6								
INDIANA	1210539	106178	8.8		31833	30.0	74345	70.0	46208	43.5	37664	35.5	13597	12.8								
IOWA	651705	9567	1.5		6994	73.1	2573	26.9	340	3.6	340	3.6	0	0.0								
KANSAS	518733	30834	5.9		16479	53.4	14355	46.6	9820	31.8	6264	20.3	2327	7.5								
KENTUCKY	695611	63996	9.2		34389	53.7	29606	46.3	17025	26.6	9021	14.1	3342	5.2								
LA.	817000	317268	38.8		28177	8.9	289091	91.1	279614	88.1	278620	87.8	259897	81.9								
MAINE	220336	1429	0.6		389	27.2	1040	72.8	0	0.0	0	0.0	0	0.0								
MD.	859440	201435	23.4		62670	31.1	138765	68.9	105886	52.6	92030	45.7	62898	31.2								
MASS.	1097221	46675	4.3		23916	51.2	22759	48.8	8558	18.3	4936	10.6	79	0.2								
MICH.	2073369	275878	13.3		56840	20.6	219038	79.4	128116	46.4	78319	28.4	24720	9.0								
MINN.	856506	9010	1.1		7116	79.0	1894	21.0	361	4.0	0	0.0	0	0.0								
MISS.	456532	223784	49.0		15000	6.7	208784	93.3	207515	92.7	206736	92.4	197447	88.2								
MISSOURI	954596	138412	14.5		33996	24.6	104416	75.4	91355	66.0	77676	56.1	46285	33.4								
MONTANA	127059	102	0.1		102	100.0	0	0.0	0	0.0	0	0.0	0	0.0								
NEBRASKA	266342	12340	4.6		3364	27.3	8976	72.7	4321	35.0	674	5.5	0	0.0								
NEVADA	119180	9189	7.7		4883	53.1	4306	46.9	3626	39.5	699	7.6	0	0.0								
N. H.	132212	537	0.4		537	100.0	0	0.0	0	0.0	0	0.0	0	0.0								
N. J.	1401925	208481	14.9		70628	33.9	137853	66.1	68434	32.8	37827	18.1	15245	7.3								
N. M.	271040	5658	2.1		2712	47.9	2946	52.1	901	15.9	574	10.1	394	7.0								
NEW YORK	3364090	473253	14.1		152868	32.3	320385	67.7	169401	35.8	100899	21.3	35637	7.5								
N. C.	1199481	352151	29.4		99679	28.3	252472	71.7	229393	65.1	227057	64.5	207742	59.0								
N. D.	115995	458	0.4		458	100.0	0	0.0	0	0.0	0	0.0	0	0.0								
OHIO	2400296	287440	12.0		79762	27.7	207678	72.3	123127	42.8	93775	32.6	37861	13.2								
OKLAHOMA	543501	48861	9.0		18472	37.8	30389	62.2	23610	48.3	18715	38.3	8437	17.3								
OREGON	455141	7413	1.6		4689	63.3	2724	36.7	0	0.0	0	0.0	0	0.0								
PENNA.	2296011	268514	11.7		73901	27.5	194614	72.5	118449	44.1	87064	32.4	11756	4.4								
R. I.	172264	8047	4.7		7196	89.4	851	10.6	0	0.0	0	0.0	0	0.0								
S. C.	603542	238036	39.4		33811	14.2	204225	85.8	200188	84.1	199752	83.9	188666	79.3								
S. D.	146407	384	0.3		360	93.7	24	6.3	112	3.1	0	0.0	0	0.0								
TENN.	887469	184692	20.8		39240	21.2	145453	78.8	132208	71.6	123468	66.9	108425	58.7								
TEXAS	2510358	379813	15.1		95931	25.3	283882	74.7	239540	63.1	208021	54.8	165249	43.5								
UTAH	303152	1486	0.5		1098	73.9	388	26.1	0	0.0	0	0.0	0	0.0								
VERMONT	73570	90	0.1		90	100.0	0	0.0	0	0.0	0	0.0	0	0.0								
VIRGINIA	1041057	245026	23.5		65922	26.9	179104	73.1	167172	68.2	161321	65.8	142209	58.0								
WASH.	791260	19145	2.4		12299	64.2	6846	35.8	0	0.0	0	0.0	0	0.0								
W. VA.	404582	20431	5.0		16763	82.0	3668	18.0	1157	5.7	841	4.1	841	4.1								
WIS.	942441	37289	4.0		8406	22.5	28883	77.5	14783	39.6	9288	24.9	4819	12.9								
WYOMING	79091	665	0.8		482	72.5	183	27.5	0	0.0	0	0.0	0	0.0								

* Minute differences between sum of numbers and totals are due to computer rounding.

TABLE 3 - A

NEGROES IN 100 LARGEST SCHOOL DISTRICTS, RANKED BY SIZE

Number* and Percentage Attending School at Increasing Levels of Isolation
Fall, 1966 Elementary and Secondary School Survey**

DISTRICTS	NEGROES ATTENDING:			0-49.9% MINORITY SCHOOLS			50-100% MINORITY SCHOOLS			95-100% MINORITY SCHOOLS			99-100% MINORITY SCHOOLS			100% MINORITY SCHOOLS		
	TOTAL NO. OF STUDENTS	NO. OF NEGRO STUDENTS	PCT. OF TOT. STUD.	NUMBER	PCT.	NUMBER	NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.	NUMBER	PCT.	NUMBER	NUMBER	PCT.	PCT.
TOTAL	10417750	3250319	31.2	418633	12.9	2831686	87.1	2201589	67.7	1798445	55.3	1091978	33.6					
NEW YORK, NY	1063787	334841	31.5	65824	19.7	269017	80.3	146945	43.9	88233	26.4	34033	10.2					
LOS ANGELES, CAL	653549	147738	22.6	7012	4.7	140726	95.3	116017	78.5	77026	52.1	18118	12.3					
CHICAGO, ILL	582274	308266	52.9	9742	3.2	298324	96.8	263159	85.4	234045	75.9	146152	47.4					
DETROIT, MICH	296097	175316	59.2	15781	9.0	159535	91.0	103590	59.1	66069	37.7	18510	10.6					
PHILADELPHIA, PA	282617	166083	58.8	15880	9.6	150203	90.4	99277	59.8	72174	43.5	7201	4.3					
HOUSTON, TEX	246098	81966	33.3	4318	5.3	77648	94.7	70816	86.4	64907	79.2	52854	64.5					
DADE CO., FLA (MIAMI)	232465	56518	24.3	7032	12.4	49486	87.6	43664	77.3	41115	72.7	27482	48.6					
BALTIMORE CITY, MD	192171	125174	65.1	9646	7.7	115528	92.3	94825	75.8	82629	66.0	54505	43.5					
DALLAS, TEX	159924	49235	30.8	1045	2.1	48190	97.9	40431	82.1	26131	53.1	15807	32.1					
CLEVELAND, OHIO	156054	87241	55.9	4156	4.8	83085	95.2	69728	79.9	59174	67.8	21516	24.7					
WASHINGTON, DC	148725	139006	93.5	1253	0.9	137753	99.1	123939	89.2	95609	68.8	38701	27.8					
FR. GEORGE'S CO., MD (D.C. AREA)	146976	22313	15.2	12525	56.1	9788	43.9	4618	20.7	3688	16.5	3112	13.9					
MILWAUKEE, WIS	130445	31130	23.9	3849	12.4	27281	87.6	14783	47.5	9288	29.8	4819	15.5					
SAN DIEGO, CAL	128914	15004	11.6	3767	25.1	11237	74.9	5732	38.2	448	3.0	0	0.0					
MEMPHIS, TENN	125813	67395	53.6	1765	2.6	65630	97.4	62132	92.2	56181	83.4	49381	73.3					
BALTIMORE CO., MD	123717	4299	3.5	4299	100.0	0	0.0	0	0.0	0	0.0	0	0.0					
DUVAL CO., FLA (JACKSONVILLE)	122637	34638	28.2	4362	12.6	30276	87.4	30276	87.4	29446	85.0	26556	76.7					
FAIRFAX CO., VA (D.C. AREA)	122107	3322	2.7	3322	100.0	0	0.0	0	0.0	0	0.0	0	0.0					
MONTGOMERY CO., MD (D.C. AREA)	121458	4872	4.0	4872	100.0	0	0.0	0	0.0	0	0.0	0	0.0					
ST. LOUIS, MO	115582	73408	63.5	5244	7.1	68164	92.9	63255	86.2	55632	75.8	36651	49.9					
ATLANTA, GA	111227	68662	61.7	3728	5.4	64934	94.6	61796	90.0	61297	89.3	53644	78.1					
ORLEANS PAR., LA (NEW ORLEANS)	110783	74378	67.1	6569	8.8	67809	91.2	60407	81.2	59700	80.3	46320	62.3					
COLUMBUS, OHIO	110699	26729	26.0	8263	28.8	20466	71.2	7222	25.1	2873	10.0	890	3.1					
INDIANAPOLIS, MD	109587	36577	33.7	8205	22.4	28372	77.6	19347	52.9	13728	37.5	3945	10.8					
BROWARD CO. FLA (FT. LAUDERDALE)	103003	24516	23.8	3556	14.5	20960	85.5	19545	79.7	16075	77.8	16882	68.9					
HILLSBOROUGH CO., FLA (TAMPA)	100985	19225	19.0	3513	18.3	15712	81.7	13604	70.8	13604	70.8	12371	64.3					
DENVER, COL	96577	13639	14.1	2732	20.0	10907	80.0	7539	55.3	2862	21.0	0	0.0					
BOSTON, MASS	94174	25482	27.1	5943	23.3	19539	76.7	8558	33.6	4936	19.4	79	0.3					
SAN FRANCISCO, CAL	94154	25923	27.5	4024	15.5	21899	84.5	5275	20.3	1317	5.1	110	0.4					
SEATTLE, WASH	94025	10376	11.0	4647	44.8	5729	55.2	0	0.0	0	0.0	0	0.0					
NASHVILLE-DAVIDSON CO., TENN	93720	22561	24.1	3794	16.8	18767	83.2	12746	56.5	12256	54.3	11696	51.8					
CINCINNATI, OHIO	86807	37275	42.9	8171	21.9	29104	78.1	12652	33.9	10903	29.3	6291	16.9					
FT. WORTH, TEX	86528	21398	24.7	2065	9.7	19333	90.3	18283	85.4	16389	76.6	12991	60.7					
JEFFERSON CO., KY (LOUISVILLE AREA)	85946	3213	3.7	2365	73.6	848	26.4	848	26.4	848	26.4	0	0.0					
CHARLOTTE-MECKLENBURG, NC	83111	24241	29.2	6704	27.7	17537	72.3	14274	58.9	13863	57.2	9459	39.0					
TULSA, OKLA	79990	9728	12.2	1518	15.6	8210	84.4	5900	60.6	5900	60.6	4447	45.7					
ALBUQUERQUE, NM	79669	1697	2.1	523	27.6	1374	72.4	174	9.2	169	8.9	0	0.0					
SAN ANTONIO, TEX	79353	11637	14.7	1234	10.6	10403	89.4	9519	81.8	6522	56.0	6137	52.7					
PINELLAS CO., FLA (CLEARWATER)	78466	12715	16.2	2762	21.7	9953	78.3	9169	72.1	8147	64.1	3298	25.9					
PORTLAND, ORE	78413	6388	8.1	3664	57.4	2724	42.6	0	0.0	0	0.0	0	0.0					
DEKALB CO., GA (DECATUR)	77967	4124	5.3	1841	44.6	2283	55.4	1939	47.0	1939	47.0	421	10.2					
PITTSBURGH, PA	76268	29898	39.2	6373	21.3	23525	78.7	12779	42.7	11598	38.8	2925	9.8					
ORANGE CO., FLA (ORLANDO)	76089	13055	17.2	2627	20.1	10428	79.9	10064	77.1	10064	77.1	10064	77.1					
NEWARK, NJ	75960	55057	72.5	1174	2.1	53883	97.9	41746	75.8	29738	54.0	10607	19.3					
MOBILE CO., ALA	75464	31441	41.7	3442	10.9	27999	89.1	26831	85.3	26831	85.3	18832	59.9					
OKLAHOMA CITY, OKLA	74727	16255	21.8	2037	12.5	14218	87.5	12963	79.7	9749	60.0	924	5.7					
KANSAS CITY, MO	74202	34692	46.8	4865	14.0	29827	86.0	23331	67.3	17460	50.3	5050	14.6					
BUFFALO, NY	72115	26381	36.6	7113	27.0	19268	73.0	16122	61.1	11562	43.8	1474	5.6					
LONG BEACH, CAL	72045	9489	7.6	2011	36.6	3478	63.4	0	0.0	0	0.0	0	0.0					

*Minor differences between sum of numbers and totals are due to computer rounding.

TABLE 3 - A (cont'd.)

NEGROES IN 100 LARGEST SCHOOL DISTRICTS, RANKED BY SIZE

Number* and Percentage Attending School at Increasing Levels of Isolation
Fall, 1968 Elementary and Secondary School Survey

NEGROES ATTENDING:																				
DISTRICTS	TOTAL NO. OF STUDENTS	PCT. OF TOT. STUD.	0-49.9%		50-100%		95-100%		95-100%		95-100%		100%							
			MINORITY SCHOOLS NUMBER	PCT	MINORITY SCHOOLS NUMBER	PCT	MINORITY SCHOOLS NUMBER	PCT	MINORITY SCHOOLS NUMBER	PCT	MINORITY SCHOOLS NUMBER	PCT								
MINNEAPOLIS, MINN	70006	5255	7.5	3722	70.8	1533	29.2	0	0.0	0	0.0	0	0.0	0	0.0					
WICHITA, KAN	68391	8913	13.0	4058	45.5	4855	54.5	4222	47.4	1386	15.6	0	0.0	0	0.0					
CLARK CO., NEV (LAS VEGAS)	67526	8233	12.2	3961	48.1	4272	51.9	3626	44.0	699	8.5	0	0.0	0	0.0					
BIRMINGHAM, ALA	66434	34156	51.4	2472	7.2	31684	92.8	30810	90.2	30810	90.2	0	0.0	28906	84.6					
ANNE ARUNDEL CO., MD (ANNAPOLIS)	65745	8923	13.6	7161	80.3	1762	19.7	0	0.0	0	0.0	0	0.0	0	0.0					
JEFFERSON CO., ALA (BIRMINGHAM AREA)	65328	18186	27.8	538	3.0	17648	97.0	17579	96.7	17579	96.7	0	0.0	17579	96.7					
OAKLAND, CAL	64102	35386	55.2	1998	5.5	33428	94.5	16604	46.9	16604	46.9	8062	22.8	1661	4.7					
E. BATON ROUGE PAR, LA	63725	23751	37.3	1333	5.6	22418	94.4	21617	91.0	21330	89.8	19007	80.0	19007	80.0					
BREVARD CO., FLA.(TITUSVILLE)	62563	6327	10.1	4416	69.8	1911	30.2	1911	30.2	1911	30.2	1911	30.2	1911	30.2					
OMAHA, NEB	62431	11284	18.1	2309	20.5	8975	79.5	4321	38.1	674	6.0	0	0.0	0	0.0					
GRANITE, UTAH (SALT LAKE CITY)	62236	59	0.1	59	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0					
EL PASO, TEX	62105	1804	2.9	1114	61.8	690	38.2	379	21.0	194	10.8	78	4.3	78	4.3					
PALM BEACH CO., FLA	61715	17158	27.8	3191	18.6	13967	81.4	13074	76.2	12409	72.3	12409	72.3	12409	72.3					
TOLEDO, OHIO	61684	16473	26.7	3725	22.6	12748	77.4	6752	41.0	2164	13.1	1617	9.8	1617	9.8					
CADDO PAR., LA (SHREVEPORT)	60483	26429	43.7	649	2.5	25780	97.5	25734	97.4	25734	97.4	24844	94.0	24844	94.0					
JEFFERSON CO., COL (LAKEWOOD)	60367	60	0.1	60	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0					
DAYTON, OHIO	59527	22790	38.3	2488	10.9	20302	89.1	17574	77.1	14198	62.3	5061	22.2	5061	22.2					
JEFFERSON PAR., LA (GREINA)	59485	12812	21.5	2632	20.5	10180	79.5	10180	79.5	10180	79.5	10180	79.5	10180	79.5					
AKRON, OHIO	58589	15137	25.8	5705	37.7	9432	62.3	3133	20.7	1264	8.4	588	3.9	588	3.9					
FRESNO, CAL	58234	5251	9.0	831	15.8	4420	84.2	3808	72.5	2575	49.0	593	11.3	593	11.3					
GREENVILLE CO., SC	56306	12453	22.1	1839	14.8	10614	85.2	10378	83.3	10378	83.3	9258	74.3	9258	74.3					
KANAWHA CO., WVA (CHARLESTON)	56118	3548	6.3	2905	81.9	643	18.1	0	0.0	0	0.0	0	0.0	0	0.0					
MORFOLK, VA	56029	23499	41.9	2701	11.5	20798	88.5	18322	78.0	17236	73.3	11648	49.6	11648	49.6					
LOUISVILLE, KY	55212	25470	46.1	3432	13.5	22038	86.5	13418	52.7	6827	26.8	1996	7.8	1996	7.8					
TUCSON, ARIZ	53667	2767	5.2	524	18.9	2243	81.1	380	13.7	148	5.3	0	0.0	0	0.0					
SAN JUAN, CAL (CARMICHAEL)	53174	134	0.3	134	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0					
GARDEN GROVE, CAL	52908	83	0.2	83	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0					
SACRAMENTO, CAL	52545	7324	13.9	5150	70.3	2174	29.7	0	0.0	0	0.0	0	0.0	0	0.0					
POLK CO., FLA (BARTON)	52255	11652	22.3	3815	32.7	7837	67.3	7769	66.7	7769	66.7	7769	66.7	7769	66.7					
AUSTIN, TEX	51760	7783	15.0	1022	13.1	6761	86.9	5063	65.1	4485	57.6	1728	22.2	1728	22.2					
ST. PAUL, MINN	50338	2917	5.8	2556	87.6	361	12.4	361	12.4	0	0.0	0	0.0	0	0.0					
WINSTON-SALEM/FORSYTH CO., NC	49831	13798	27.7	2111	15.3	11687	84.7	11643	84.4	10952	79.4	9778	70.9	9778	70.9					
GARY, IND	48431	29826	61.6	916	3.1	28510	96.9	24110	80.8	23265	78.0	9652	32.4	9652	32.4					
MT. DIABLO, CAL (CONCORD)	48351	369	0.8	369	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0					
ROCHESTER, NY	47372	13679	28.9	6232	45.6	7447	54.4	1652	12.1	0	0.0	0	0.0	0	0.0					
CHARLESTON CO., SC	47178	16730	35.5	2140	12.8	14590	87.2	14091	84.2	14091	84.2	14091	84.2	14091	84.2					
ESCAMBIA CO., FLA (PENSACOLA)	46875	12924	27.6	2904	22.5	10020	77.5	9046	70.0	9046	70.0	9046	70.0	9046	70.0					
DES MOINES, IOWA	46532	3611	7.8	2057	57.0	1554	43.0	0	0.0	0	0.0	0	0.0	0	0.0					
FLINT, MICH	46495	17212	37.0	4165	24.2	13047	75.8	6425	37.3	1193	6.9	0	0.0	0	0.0					
CORPUS CHRISTI, TEX	46110	2496	5.4	43	1.7	2453	98.3	1912	76.6	810	32.5	640	25.6	640	25.6					
SHELBY CO., TENN (MEMPHIS AREA)	44133	14281	32.4	950	6.7	13331	93.3	13331	93.3	13331	93.3	12667	88.7	12667	88.7					
RICHMOND, CAL	43123	10424	24.2	4006	38.4	6418	61.6	2819	27.0	1143	11.0	534	5.1	534	5.1					
RICHMOND, VA	43115	29441	68.3	1890	6.4	27551	93.6	24900	84.6	24366	82.8	22971	78.0	22971	78.0					
CHATHAM CO., GA (SAVANNAH)	42416	17449	41.1	1620	9.3	15829	90.7	15102	86.5	15102	86.5	13460	77.1	13460	77.1					
MUSCOGEE CO., GA (COLUMBUS)	42373	12517	29.5	884	7.1	11633	92.9	10757	85.9	10757	85.9	8768	70.0	8768	70.0					
FT. WAYNE, IND	41595	5760	13.8	1552	26.9	4208	73.1	1328	23.1	0	0.0	0	0.0	0	0.0					
VIRGINIA BEACH, VA	41272	4372	10.6	2719	62.2	1653	37.8	1653	37.8	1278	29.2	1278	29.2	1278	29.2					
COBB CO., GA (MARIETTA)	40918	1336	3.3	1246	93.3	90	6.7	90	6.7	90	6.7	90	6.7	90	6.7					
COLUMBIA, SC	40122	18735	46.7	3236	17.3	15499	82.7	15163	80.9	15163	80.9	13183	70.4	13183	70.4					
MONTGOMERY CO., ALA	39093	16691	42.7	945	5.7	15746	94.3	15746	94.3	15746	94.3	15746	94.3	15746	94.3					
CALCASIEU PAR., LA (LX. CHARLES)	39043	9034	23.4	948	9.5	8986	90.5	8986	90.5	8986	90.5	8986	90.5	8986	90.5					

*Minor differences between sum of numbers and totals are due to computer rounding.

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