

Desegregation-era Records Collection

1952 - 2004; bulk: 1975 - 2000

Boston Public Schools

Project funded by a grant from the National Historic Publications and Records Commission (NHPRC)

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Collection Summary

Creator: Boston Public Schools

Title: Boston Public Schools
Desegregation-era Records
Collection

Physical
Description: 336 cubic feet

Language: English

Repository: City of Boston, Office of the City
Clerk, Archives and Records
Management Division
201 Rivermoor St.
West Roxbury, MA 02132
archives@cityofboston.gov

Abstract:

On June 21, 1974, in the Federal District Court of Massachusetts, Judge W. Arthur Garrity ruled in Tallulah Morgan vs. James Hennigan. He ordered the School Committee of the Boston Public Schools to eliminate the segregated school system it had maintained. The case was unprecedented among school desegregation cases in several ways. In addition to being the longest case of court involvement (with over 415 orders issued), it was the first case to involve a state level department of education in monitoring compliance. Also, it was the first time a parent/citizen group was given the authority to monitor, and never before had quality of education been combined as an objective with desegregating a school system. The Boston Public Schools Desegregation-Era Records, comprised of records of the Department of Implementation, the Citywide Parents' Council, the Office of General Counsel, Desegregation Related Grants, the Department of Statistics and the School Committee Secretary's Desegregation Files; document efforts by the school department to comply with these court orders. The bulk of the collection was created between 1975 and 2000.

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Selective Historical Timeline

Note: see list of Common Abbreviations for reference.

Date	Event
1954	Landmark case, <i>Oliver Brown vs. Board of Education of Topeka</i> , is settled, dismantling legal basis for segregation within public schools. The ruling declared that racial segregation violates the rights of United States citizens according to the Constitution, which guarantees equal protection of laws for all American citizens.
April 1965	Kiernan report titled, "Because it is Right-Educationally" is published. This report asserted that racial imbalance within schools is detrimental to the well being of all children.
August 1965	Governor Volpe proposes the Racial Imbalance Act, calling for the Massachusetts State Board of Education to require desegregation plans from local school committees and withhold funds, if necessary. Local school committees are to formulate desegregation plans where de facto segregation exists.
1966	School Committee takes Racial Imbalance Act to Massachusetts Supreme District Court, which rules against school committee. METCO established.
1968	Bilingual Education Act is passed, providing federal funding for bilingual education programs and decriminalizing the use of languages other than English in the classroom.
1971	School Committee replaces open enrollment policy with controlled transfer policy. State Board of Education takes the school committee to court. Suit leads to the development of the desegregation plan later known as "Phase 1". One wing of the Hennigan School opens with sixty-five percent black enrollment. School Committee makes no effort to recruit or assign white students, though school was built as part of the Racial Imbalance Plan. Lee School opens, built as part of the city racial imbalance plan. Events there lead J. Harold Flannery of the Harvard Center for Law and Education to conclude the School Committee is a sitting duck for a suit based on 14th Amendment Equal protection under the law. He and Robert Pressman join forces with lawyers Roger Abrams and John Leubsdort and they file suit on behalf of black parents.
1972	Massachusetts legislature passes Chapter 766, the most comprehensive and inclusive legislation on educating people with disabilities of any state in the nation. It mandates that educational services provide the maximum feasible benefit to students identified with special needs and that these services be provided in the least restrictive environment possible. Class action suit filed on behalf of fifteen parents and forty-three children, lead plaintiff is Tallulah Morgan. Case is known as <i>Morgan v. Hennigan</i> . Sixty-eight schools in Boston are racially imbalanced; 30,000 students use public transportation to get to school. SC ordered to produce a racially balanced student assignment plan. SC says it will appoint a committee to develop a plan. State BOE rejects this, proposes its own plan. Superior Court finds the State plan involves too much busing, but that a hearing should be held before an administrative master. Professor Jaffe is appointed and holds the hearings.

- June 21, 1974 Judge W. Arthur Garrity finds for the plaintiffs in Morgan vs. Hennigan; states Boston SC had engaged in segregation. As a preliminary measure, Garrity orders the SC to implement the State BOE's Racial Imbalance plan (referred to as the State Plan) until they produced a plan of their own for desegregation. This period becomes known as "Phase 1".
- September 12, 1974 First day of school: ROAR calls for a two-week boycott of schools and violence in South Boston and citywide leaves eighteen school buses damaged.
- September 13, 1974 Mayor calls in police. Boston Police Union asserts they were not obligated to obey orders to make arrests, etc. Court issues a declaratory opinion regarding the duties of the police. A court order allows the Mayor to draw on the State Police from neighboring cities and the National Guard.
- October 1974 Judge Garrity issues orders establishing Racial Ethnic Parent Councils in every school. Citywide Parents Advisory Council also established. These two councils become the officially sanctioned vehicle for parent involvement. Court orders SC to file a desegregation plan by December 16th to be implemented September of 1975.
- December 1974 El Comite de los Padres petitions court to become interveners in Morgan vs. Hennigan.
SC votes against approving the desegregation plans developed by the school department.
Violence erupts at South Boston High School.
Boston SC is held in civil contempt and the court of appeals declines to stay the ruling.
- January 1975 The School Committee files its plan for Phase II ; the plan does not include busing. The plaintiffs file an alternative plan, as does the Home and School Association. Numerous community groups file criticism and comments on the SC's plan. On January 27, 1975, the SC submits a new plan, which again involves no busing. It is rejected by the court and Garrity appoints a team of four court masters and two desegregation experts to devise a plan. The newly appointed masters are Edward McCormick, Jacob J. Speigel, Francis Keppel and Charles Willie. The experts are Marvin Scott and Robert Dentler.
South Boston High School placed in receivership, with area superintendent. Joseph McDonough named as receiver.
- March 21, 1975 Court masters and two desegregation experts produce a desegregation plan, released as a preliminary draft. Garrity rejects their draft and orders court experts, Marvin Scott and Robert Dentler to further modify the Masters' Plan.
- May 10, 1975 Phase II: Court experts' revise Masters' Plan and release it in a comprehensive desegregation order issued by the Federal Court. It creates a citywide magnet district and several community school districts, as well as closing numerous schools; creating college/university - school pairings; requiring more busing and reassigning students once again. The plan also creates citizen participation groups and calls for a Citywide Coordinating Council (CCC) to monitor the carrying out of desegregation court orders in the Boston Public Schools. The plan has many firsts for school desegregation cases: it is the first time a state level department of education has been involved in the remedy of a school desegregation case; the first time a citizen group is given authority to monitor; and the first time a desegregation education case combined quality of education with desegregating the schools.

- April 1976 Jerome Winegar replaces McDonough as receiver for South Boston High School.
- May 1976 Phase II-B: Modified Phase II. Court emphasizes continuity and stability. Gregory Anrig says that financing of bilingual education in Boston is inadequate.
- June 10, 1976 Allen v. McDonough filed, alleging a system-wide failure in Boston Public Schools to evaluate and prepare educational plans for students referred for special education, and to conduct periodic reviews to monitor progress in accordance with state regulations (Chp.766).
- May 6, 1977 Phase III orders issued calling for establishment of conditions to enable the court to terminate its jurisdiction. Ordered the creation of a permanent Department of Implementation to carry out desegregation and a long-range plan for construction and repair of facilities (The Unified Facilities Plan).
- August 1977 Bilingual parents protest outside Federal court and SC headquarters. Parents object to 2,000 bilingual students being sent to different schools throughout the city.
- September 1977 Phase III begins: Monitoring duties transferred from the CCC to the Department of Implementation. School administrators monitored and racial statistics gathered for compilation into annual reports to measure progress towards racial balance.
- November 1977 John O' Bryant becomes first black elected to the Boston SC in the 20th century.
- July 1978 Dr. Robert Wood elected as Boston's new superintendent of Schools -- a result of the first nationwide search.
- August 1978 South Boston High School receivership lifted.
- June 1979 Judge Garrity lists criteria for the withdrawal of the Federal Court from the desegregation school case.
Massachusetts Board of Education approves twenty-two changes in the Chapter 766 regulations.
- June 1981 Judge Garrity asks all parties in the desegregation case to prepare a Consent Decree so that he could withdraw from the case.
SC votes to close twenty-one schools.
- December 1982 Judge Garrity turns over to the State Board of Education the monitoring of desegregation.
Court of Appeals upholds Garrity's order requiring teacher preference to minorities.
- January 1984 Superintendent Spillane proposes Long Range Education Plan.
Thirteen member SC seated.
- September 1985 Judge Garrity issues final orders in the desegregation case.
Dr. Laval S. Wilson becomes the first black selected by the SC to be Superintendent.

Districts 3 and 4 become experimental districts for allowing parents of elementary school children to choose any school in the experimental district for their children to attend.

Reorganization of districts approved by the court for administrative purposes. Districts 1 and 2 become A, 3 and 4, B; 5 and 6, C; 7 and 8, D; 9, E.

- 1986 Bus strike lasts almost three weeks. Court orders the Boston Public Schools to compensate the parents of special education students twenty dollars for each day of school missed.
- 1994 United States Federal District Court of Massachusetts issues its final judgment in *Morgan vs. Hennigan*, permanently barring the School Committee from practicing racial discrimination in the public schools.
- 1995 The Boston Latin Case: Michael C. McLaughlin, the father/lawyer of a white student named Julia McLaughlin, files complaint alleging that her 14th Amendment rights (under the United States Constitution) were violated when she was denied admission to the Boston Latin School because of a racially conscious admissions policy.
- November 1996 U.S. District Judge dismisses the Boston Latin Case after the exam schools agree to revise their policies, which reserved thirty-five percent of the student slots for African-Americans and Hispanics. The new policy reserves half of the seats in the district's three "exam schools" for students with the highest scores. The other slots are filled through a system that considers both test scores and race.
- 1997 Michael C. McLaughlin files suit again; this time on the behalf of another white student, Sarah Wessman, who was denied admission under the newly adopted admission policy. He seeks an injunction in the U.S. District Court of Boston to allow Sara to enter Boston Latin's 9th grade the fall of 1998. The girl is one of ten white students who would have been admitted had the policy been based solely on test scores.
- 1998 In the United States District Court of Massachusetts, Chief Judge Joseph Tauro ruled that the Boston Latin School admissions policy was justified and achieving a racially diverse student body does not violate the United States Constitution. The United States Court of Appeals, however, reversed the ruling, holding the policy unconstitutional. As a result, fewer African American and Hispanic students now attend Boston Latin School and Boston Latin Academy than during the years of court-ordered school desegregation.
- October 2004 Boston School Committee selected as the recipient of the first Award for Urban School Board Excellence from the National School Boards Association/Council of Urban Boards of Education (NSBA/CUBE). The Boston School Committee was chosen for this award for demonstrating excellence in four core areas: board governance, closing the achievement gap, academic achievement, and community engagement.
- December 2004 Thirtieth anniversary of the Morgan case: "Boston schools are racially segregating once again. Many factors, including the continuing migration of white families from the city and segregated neighborhood housing patterns, undoubtedly contribute to increasing segregation in Boston schools. However, the elimination of voluntary racial fairness guidelines in school assignments and the inability to take race into account in making admissions decisions in the exam schools further exacerbate the difficulty of maintaining a racially diverse school system." Nancy McArdle, *The Boston Globe*, December 18, 2004.

Common Abbreviations

The following list of abbreviations represent associations, civic groups, offices, etc. found within the Desegregation-era records and in publications on this topic (see sources).

Abbreviation

Expansion

AWC	Advanced Work Class/Academically Talented Section Program
BASIS	Boston Association of School Administrators and Supervisors
BEAM	Black Educators Association of Massachusetts
BBURG	Boston Banks' Urban Renewal Group
BCP	Boston Concerned Parents
BHA	Boston Housing Authority
BHSSC	Boston High School Student Coordinators
BOE	Board of Education (State)
BRA	Boston Redevelopment Authority
BPPA	Boston Police Patrolman's Association
BTU	Boston Teachers' Union
CAR	Committee Against Racism
CAUSE	Community Assembly for a United South End
CBEB	Concerned Black Educators of Boston
CBPS	Citizens for Boston Public Schools
CCC	Citywide Coordinating Council
CDAC	Community District Advisory Council
CEC	Citywide Educational Council
CERC	Community Education Resource Center
CORE	Congress of Racial Equality
CPAC	Citywide Parents Advisory Council
CPC	Citywide Parents Council
CWEC	

Citywide Educational Council
EBQUE East Bostonians for Quality Education
EPC Educational Planning Center
ERA Equal Rights Amendment
ETC Emergency Tenants Council
FCC Federal Communications Commission
FHA Federal Housing Authority
GBC Greater Boston Coalition
HAS Home and School Association
HOBARS Help Our Boys Against Radical Suckers
HOPE Hispanic Office of Planning and Evaluation, Inc.
HUD Housing and Urban Development
IRE Institute for Responsive Education
MAYOS Mexican American Youth Organization
MCAFB Massachusetts Citizens Against Forced Busing
METCO Metropolitan Council for Educational Opportunity
MPA Massachusetts Port Authority
NAACP National Association for the Advancement of Colored People
NEGRO New England Grass Roots Organization
NEVER North End Voices for Equal Rights
OCR Office of Civil Rights
OGC Office of General Counsel
PATF Positive Action Task Force
PMC Peaceful Movement Committee
REPC Racial-Ethnic Parent Councils
ROAR Restore Our Alienated Rights
RUN Racial Unity Now
SBIC South Boston Information Center
SC School Committee

SCORE

Service Corps of Retired Executives

SDS

Students for a Democratic Society

SEPAC

South End Project Area Committee

SHOC

Self-Help Organization Charlestown

SNCC

Student Nonviolent Coordinating Committee

TLWC

The Last White Class

TNA

Tri-Neighborhood Council

TPF

Tactical Patrol Force

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Sources

Historical Timeline:

Citywide Parents Council Resource Guide. *Selective History of the Boston Public Schools, 1635 - 1986*. Revised by Hattie McKinnis. 1986-87

Common Abbreviations:

Formisano, Ronald P. *Boston Against Busing*. The University of North Carolina Press, 1991

Lukas, J. Anthony. *Common Ground*. Vintage Books, 1986

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Collection Description

The Boston Public Schools Desegregation-Era Records collection dates from 1952 to 2004 (1975 - 2000 bulk), and is comprised of eight record groups, reflecting different divisions of the school administration. The record groups include: The Department of Implementation; The Department of Implementation II; The Citywide Parents Council; The Citywide Parents Council II; The Office of General Counsel; Desegregation Related Grants; The Department of Statistics; and The School Committee Secretary's Desegregation Files. The collection contains administrative, programmatic and legal papers of the Boston Public Schools documenting their efforts to comply with court-ordered desegregation. It offers insight into the turmoil faced by school employees as they attempted to maintain peace, cooperate with the law and regain the trust of the community.

The Department of Implementation records comprise 119 cubic feet covering the period 1952-1996 and include the complete records of four divisions: The Executive Directors' Files; The Senior Officers' Files; The External Liaison Unit; The Transportation Unit. Some records of the Records Management and Student Services Units are found within the Senior Officers' subject Files.

The Department of Implementation records II comprise 63 cubic feet covering the period 1973-2002 and include the records of the Executive Directors and their Administrative Assistant; The External Liaison Unit; The Student Services Unit; and The Transportation Unit. The collection notably includes a series of Morgan

v. Hennigan court filings covering the entire course of the case.

The Office of General Counsel records comprise 43 cubic feet covering the period 1975-1998 and include working case files on the Morgan vs. Hennigan case in which the Boston Public Schools were found to have de facto segregation. Also in the General Counsel's files are the working papers from the Allen vs. McDonough case after which the schools were required to provide better services to special needs students.

The Citywide Parents' Council records comprise 40 cubic feet covering the period 1975-1993 and contain subject files relating to both desegregation and the special needs case.

The Citywide Parents' Council II records comprise 40 cubic feet covering the period 1971-2004 and include the records of the Board of Directors, the Executive Directors, the Executive Assistants, the Monitoring Department, as well as an Office External Agencies File. The collections contains records pertaining to the administration of the CPC, their activities, the production of their newsletter "Parents United", and copies of the cable access television show they produced

The Desegregation Related Grants records comprise 23 cubic feet covering the period 1967-1986 and includes the records of the Office of Policy and Planning and Management Information Services. The records document the administration of grants and programs under Chapter 636 of the Massachusetts Racial Imbalance Law, the Elementary and Secondary Education Act, and the Emergency School Aid Act.

The Department of Statistics records comprise 2 cubic feet covering the period 1967-1973 and include records of statistics gathered through surveys and questionnaires for use in Annual Statistics Reports, and for submission to the federal government under the Civil Rights Act of 1964 and to the State under the Massachusetts Racial Imbalance Law.

The School Committee Secretary Desegregation Files comprise 6 cubic feet covering the period 1963-1984 and includes correspondence, meeting minutes, transcripts, student assignment plans, court orders and newspaper clippings collected by Edward J. Winter, Secretary of the School Committee from 1963-1984.

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Acquisition Information

The Desegregation-era Records Collection came to the City Archives in two accessions in 2003 and 2004. They were previously housed in the basement of the Boston Public Schools administrative headquarters.

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Access Restrictions

Some records within this collection are restricted as mandated by FERPA guidelines and the Public Records Law (MGL C.4, s. 7, cl.26). Contact archivist for further information.

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Appraisal Information

The collection was reduced from approximately 500 to 336 cubic feet. Duplicate materials, carbon copies, blank forms, financial records, personnel records and personal papers were disposed of during processing.

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Description of Record Groups

Department of Implementation records

The Department of Implementation records were processed by Sheila R. Spalding (100 cubic feet), with the exception of the Transportation Division which was processed by Gail O'Hare Barry (19 cubic feet).

Department of Implementation II records

The Department of Implementation II records were processed by Zachary Enright.

Office of the General Counsel records

The Office of General Counsel records pertaining to the Allen case were processed by Gail O'Hare Barry (20 cubic feet). Records pertaining to the Morgan case were processed by Sheila R. Spalding (23 cubic feet).

Citywide Parents' Council records

The records of the Citywide parents' Council were processed by Nancy Kougeas (10 cubic feet), and Sheila Spalding (28 cubic feet) and Gail O'Hare Barry (2 cubic feet).

Citywide Parents Council II records

The Citywide Parents Council II records were processed by Zachary Enright.

Desegregation Related Grant records

The Desegregation Related Grant Records were processed by Zachary Enright.

School Committee Secretary Desegregation Files

The School Committee Secretary Desegregation Files were processed by Sheila Spalding.

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Written by Sheila R. Spalding
Encoded by Sheila R. Spalding, Fall 2004. Updated by Zachary Enright, Winter 2008