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KGTV10 EDITORIAL

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EDITORIAL... PROPOSITION 21

"No public school student shall, because of his race, creed or color, be assigned to or be required to attend a particular school." That excerpt just about says it all for Proposition 21, the "Wakefield Anti-Bussing" measure on the November 7th ballot. Channel Ten has carefully considered this proposal not only in light of its legislative implications but..and perhaps more importantly..in light of public attitudes.

There is little question that the matter of school bussing to achieve racial balance is one of high emotion. The court wrangles which have erupted across the country over this issue have not helped dampen this fever pitch of public feeling.

Some bussing of this nature has been on going in San Diego for several months. By and large it simply has not worked. Children transported out of their neighborhoods to some distant school have tended to cluster even more tightly with those who have been bussed with them rather than meld into the new school population. There have been instances of fights, anger, assault and certainly frustration among students, parents and teachers The result has been a strong tide of anti-bussing sentiment among parents...and not just white parents either. Persisting in the exercise seems to us an example of kicking a dead horse.

Considering the obvious public attitude, bearing in mind the track record in this area...as well as others...Channel Ten believes that forced bussing serves no one and recommends you vote "YES" on Proposition 21.

BROADCAST OCTOBER 16th, 1972

San Diego Union

FRIDAY MORNING, OCTOBER 20, 1972

Yes on Prop. 21

State School Supt. Wilson Riles says the anti-bussing amendment on the Nov. 7 ballot — Proposition 21 — is only serving to "keep people stirred up" about school integration. He is "getting weary" of the emotionalism that has surrounded the question of school de-segregation since the 1954 ruling on the subject by the U.S. Supreme Court.

We agree with much that Mr. Riles has to say about integration, but we believe he misses the point about Proposition 21. It is not this proposed amendment that has people stirred up, but school bussing itself.

Proposition 21 would prohibit assigning pupils to a particular school because of their race, creed or color, and would nullify state regulations now demanding that school districts work toward achieving a racial balance in classrooms reflecting racial proportions of the community as a whole.

Mr. Riles has correctly pointed out that the obsession with bussing and racial balance as a means of assuring equal educational opportunity is based on the mistaken idea that "a black child has to sit next to a white child to learn." This is not only false, on the basis of the most recent studies of pupil performance, but it is demeaning to an entire race.

Proposition 21 removes the constitutional sanction for enforced bussing, which is neither practical, popular nor based on any conclusive evidence that it improves understanding among Americans or the quality of education. We recommend a "Yes" vote.

San Diego, Friday, October 20, 1972

EVENING TRIBUNE

Provisions of Prop. 21 threaten local control, quality schools

THE GOALS OF Prop. 21, the Student School Assignment Initiative, are likely to be viewed sympathetically by a large segment of the California public.

But the frank appeal to the emotions in the promised ban on forced bussing does not make the proposed changes in the Education Code good law.

In the first place, the measure is in part a challenge to U.S. Supreme Court rulings and would involve a constitutional test. The clause prohibiting school assignment on the basis of "race, creed or color" also violates a 1971 decision of the California Supreme Court holding school assignments a necessary function of the district.

And the initiative would wipe out legislation approved last year and signed into law by Gov. Reagan, which set up positive guidelines for school districts and the state Board of Education in complying with school desegregation policy.

THE 1971 BILL, named for its author Assemblyman William Bagley, provides that pupil assignment "shall prevent and eliminate racial and ethnic imbalance in pupil enrollment."

And it directs the school districts to report periodically to the state board on the racial and ethnic composition of their schools and the population they serve. The bill suggests that the districts consider such factors as site selection, boundary determination and school organization by grade level in correcting apparent imbalances.

In other words, current law encourages districts to plan ahead in pupil distribution to avoid court-ordered plans involving controversial bussing schemes.

The final section of the ballot proposition is a "severability clause," which would leave intact unaffected portions of the initiative in the event other provisions are found unconstitutional.

THE PROBABLE outcome of Prop. 21 approval would be to leave California with no policy whatsoever to guide districts in solving problems of racial balance.

And passage would be an invitation for the courts to design and impose desegregation plans on the individual districts — presumably through bussing.

The chief sponsor of Prop. 21 is Assemblyman Floyd Wakefield, who was unsuccessful in efforts to win legislative approval over the more reasonable and flexible approach to integration embodied in the Bagley bill.

We have no reason to doubt his sincerity in defending the concept of the neighborhood school. We sympathize with his conviction that money spent on massive bussing programs could be better utilized in upgrading schools for the benefit of all students, regardless of racial or ethnic considerations.

BUT LIMITED bussing programs — such as instituted at Berkeley — have been instrumental in bringing quality education to all without sacrificing the jealously guarded traditions of community systems. Such programs, permitted under the current Education Code, would be barred by the Wakefield measure.

The Evening Tribune recommends a "no" vote on Prop. 21 to prevent the threat of precipitous court action and to retain a system that assures local solutions to problems of racial imbalance.

Los Angeles Times

THURSDAY MORNING, OCTOBER 19, 1972

NO on Deceptive School Initiative

Proposition 21, officially the "assignment of students to schools initiative," unofficially the "Wakefield antibusing initiative" or the "neighborhood school initiative," is not what it says it is, regardless of language. It is racist in content, misleading in intent, obscure in result, with every likelihood that it would produce precisely the opposite effect promised by its author, Assemblyman Floyd Wakefield.

There is good reason to vote No.

The primary purpose of the initiative is to kill the legislation adopted last year that set up the guidelines for local school boards to eliminate racial imbalance. That legislation was designed to give more flexibility to local school boards and to avert arbitrary standards that the courts might be forced to impose in the absence of any alternative means to end racial segregation.

The sponsors of this initiative are seeking to maintain a status quo that would tolerate racial segregation. In so doing they are defying the conclusion of the California Supreme Court that school boards must take affirmative steps to end racial segregation regardless of its cause, and the conclusion of the U.S. Supreme Court last year that a state law limiting desegregation powers of a school board is unconstitutional.

In depicting their initiative as an antibusing measure, the sponsors have sought to identify it with widespread opposition to court-ordered busing in cases of racial segregation. But this is illusory. For, by sweeping away the alternatives to wholesale busing that are now in effect in the state, the initiative would make more likely the broader resort to busing in court orders. The judges would have no alternative.

This initiative is not, therefore, a test of the popularity of busing.

We find it all the more mischievous in that it embraces language almost identical with the wording of a North Carolina statute found unconstitutional last year in a unanimous decision of the U.S. Supreme Court. The Wakefield initiative would amend the Education Code to state that "no public school student shall, because of his race, creed or color, be assigned to or be required to attend a particular school." The Supreme Court, in its opinion, said that "to forbid, at this stage, all assignments made on the basis of race would deprive school authorities of the one tool absolutely essential to fulfillment of their constitutional obligation to eliminate existing dual school systems." California, of course, does not have a dual system by law. But the courts do not draw a distinction between segregation in fact and segregation by law. The case history has persuaded the legislative counsel of California that Proposition 21 is unconstitutional.

We recommend a No vote on Proposition 21. The initiative is inimical to constitutional principle. It is illusory in promise. Worst of all, it is disruptive of proper and unifying efforts, already embraced in law, to seek excellence of education while meeting the legal and moral imperatives to equal rights.