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YOUR CHILD AND BUSING

THE UNITED STATES
COMMISSION ON
CIVIL RIGHTS

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U.S. COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights is a temporary independent, bipartisan agency established by Congress in 1957 and directed to:

Investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, or national origin, or by reason of fraudulent practices;

Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution;

Appraise Federal laws and policies with respect to equal protection of the laws;

Serve as a national clearinghouse for information in respect to denials of equal protection of the laws; and

Submit reports, findings, and recommendations to the President and the Congress.

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FOREWORD

The school bus is familiar to every American. For decades, it has been viewed as a convenience, even a necessity, for the education of the Nation's children. Whether brought up in big cities, suburbs, or rural areas, the great majority of people--at one time or another--were bused to and from school and thought little about it. Traditionally, busing has caused no upset or controversy, for everyone understood that the benefits, in the form of better educational opportunity, well warrant the minor inconvenience which a bus ride involves. Scenes of picketing and protest over busing were rare, and occurred only when parents demanded more, not less, busing.

In recent years, the situation has changed radically. The school bus has been vilified as representing a needless waste of money, a threat to the safety of children, a health hazard, and the device of busing has been condemned not as a relative inconvenience but as an absolute evil.

The storm over busing is a limited one. For most purposes, busing continues and even increases, with little show of concern. Handicapped children still are bused to schools with special facilities. Gifted children still are bused to schools with curriculum and teachers better suited to develop their abilities. And children in rural areas still are bused in increasing numbers as the movement toward school consolidation proceeds.

Only in the context of school desegregation has busing become an issue of emotion and controversy. For this purpose alone, the familiar school bus has aroused passionate objections, has stimulated protest marches to the Nation's Capital, and has generated acts of violence.

The Commission on Civil Rights deals in fact. It is our conviction that the American people and their duly elected representatives, if fully informed, will act wisely and compassionately. On the issue of busing, the American people have not been served well. The issue of busing for desegregation, more than any other domestic issue in recent memory, has been discussed in terms that have clouded, rather than clarified, public understanding. Myth has been confused with reality; groundless fears have been substituted for fact; and appeals have been made to the baser instincts of the American people. The tenor of public discussion also has led to the introduction of radical legislation that would threaten to halt the progress made in securing racial equality and upset the constitutional balance of power among our three branches of government.

There are many legitimate concerns about busing for desegregation: Will the quality of education suffer? Will the children be safe? Will their health be jeopardized? Will problems of school discipline increase? Will the bus rides be unreasonably long? Are the courts going beyond constitutional requirements? These and other questions demand answers that fact, not rhetoric, can provide.

The Commission issues this booklet in the hope that it can help separate fact from fiction and dispel many of the unfounded fears that underlie the controversy so troubling the Nation.

The Commission concedes that we, like others who have spoken on this issue, are not without bias. Our bias reflects the viewpoint and perspective that we have developed over the years as individuals and through our collective experience as members of the Commission. It is fourfold.

First, we believe that the high importance the American people have placed on education is justified and that every child deserves, as a matter of right, a high quality education.

Second, we believe that the Supreme Court of the United States has been right in the several decisions it has handed down on this issue since 1954.

Third, we believe that school desegregation is the most urgent moral imperative facing the American people; that racial justice and racial unity are essential to the Nation's future well-being and that they cannot be achieved so long as our children are educated in racial isolation.

Fourth, we are convinced that acceptance of the continuation of school segregation at this critical point in our history will leave to future generations a heritage of distrust, cynicism, and alienation which may prove irreversible.

I

For almost as long as there has been an automobile, American children have been going to school by bus. Thousands of men and women who today hold important positions in American life went to school by bus and would not have been able to complete school otherwise. Sometimes they spent several hours on the bus each day, arising before daybreak and not returning home until dark.

Indeed, some trips could be measured in terms of days and weeks instead of hours. Some round trips simply were too long to be made daily. Thus the pupil would leave home on Monday morning, spend the entire week at school, and then return home on Friday. Blacks in Warren County, Virginia can recall making such trips as late as 14 years ago. Theirs was one of 17 Virginia counties which had no black high school, so 106 Warren County black students had to attend schools in two neighboring counties. Instead of making daily round trips of more than 100 miles, 59 of them boarded at school. Some Indian pupils spend months at boarding schools, after being flown there from hundreds of miles away. One such trip carries Alaskan youths to a boarding school in Oklahoma--a distance of more than 3,000 miles. Some of the planes go from village to village to pick up students, much as a bus picks up pupils at stops along a country road, before the students board airliners for the rest of the trip.

New Mexico has two bus routes measuring 74 miles one-way and three others of about 70 miles in each direction--none having any connection with desegregation. A bus route in the Needles, California

area stretches 65 miles one-way, and the pupils spend about three hours a day on the bus.

Pupil transportation in the United States did not begin with the motor bus. It is almost as old as public education itself, and pupil transportation at public expense goes back almost to the beginning of compulsory education.

Massachusetts in 1852 became the first state to adopt compulsory education and in 1869 became the first state to provide pupil transportation at public expense. If all children had to go to school, it stood to reason that some means of transportation had to be furnished for children who lived too far away to walk. By 1919 every state had authorized the use of tax money for pupil transportation.

The earliest trips were by horse-drawn wagons or sleds. Just prior to 1920 the first motor buses were used, gradually becoming the now-familiar yellow, box-shaped vehicle that generally carries 50 or 60 passengers.

But the tax-supported school bus isn't the only means of pupil transportation. In at least two states, Maine and Louisiana, children travel to and from school by boat. And in some remote areas at times, children have been flown to school by airplane. Many urban children use commercial buses to get to school and have done so for years, largely at their own expense. Fewer than half of the Nation's pupils get to school on foot or by bicycle.

Today busing is a national issue. But for decades, busing has been a matter of concern for Southern blacks. One concern was that the buses were used to carry children to racially separate schools, and that almost always meant a better school for the white children than for the black children. Another concern was that black children were not even provided buses until well after buses were provided for whites, and in some instances many years afterwards. Busing was looked upon as an advantage -- a symbol of the desire of parents and the community to provide children with the best possible schooling. Black parents were shortchanged in terms of buildings, teachers, books and supplies -- in short, in public education itself -- and they were similarly deprived of pupil transportation.

Henry Marsh, a young black Virginian who is vice mayor of Richmond, recalled in a recent address that his earliest memory of school segregation was when he "walked five miles each way to a one-room school with one teacher and seven grades, while white children rode past me on the school bus to a modern, well-staffed school."

When buses finally were provided for black children in the South, the service was segregated in the same manner as schools were segregated. Sometimes the buses were old ones that had been replaced by new buses for white children. Many Southern blacks can remember that when they were bused at all they were bused beyond the front door of a nearby white school in order to be carried to a black school. Indeed, many pupil miles were added, at great cost to hard-pressed state and local education budgets, to bus children for long distances in order to maintain segregation.

White and minority children alike had no guarantee of attending a neighborhood school, or even the nearest school. Thousands of children passed each other on the way to different schoolhouses. One North Carolina county had four separate sets of schools. And in south Texas, until the districts were recently consolidated, Anglo children were bused out of a district that was predominantly Mexican American to schools predominantly white.

Before and after the 1954 Brown v. Board of Education decision, strictly segregated bus routes were laid out for segregated schools. Thus in 1958 a white teacher in south Georgia almost lost her job because she let one of her pupils ride home on the Negro bus. Thousands of miles, hours and gallons of gasoline were spent carrying children to racially separate schools.

Pupil transportation has grown rapidly over the years, and neither segregation nor desegregation has been the most important factor. Aside from the steady increase in enrollment, the most important factor by far has been school consolidation, especially after World War II. During World War II, labor and materials were scarce and non-defense construction of all kinds had to be postponed. Once the war was over, school districts set about building new consolidated schools to replace the old one- and two-room schoolhouses that were inadequate to meet growing educational needs. In the meantime, highway building, which also had been postponed by the War, became a major national undertaking--thus providing the roads that made it possible for buses to serve the new consolidated schools.

Rising educational demands and the thinning of rural populations spurred school consolidation during the 50's and 60's. In 1925 there were 163,000 one-teacher elementary schools and at the end of World War II half of them were still around. By the early 1960's, however, the number of these one-teacher schools had dropped to 13,000 and today only 2,000 remain. Similarly, the number of school districts dropped from 127,000 in the early 30's to about 17,000 today.

During recent decades other factors have been at work to increase busing. Many high schools students in the sprawling suburbs had to be bused, so busing became an urban as well as a rural practice. Cities used busing to relieve crowded schools. Bus service was provided for the gifted and the handicapped, enabling these children to attend schools tailored to their needs. Some parents--worried about lack of subdivision sidewalks, dangerous traffic conditions, bad weather, and the like--demanded bus service. Gradually, bus pick-ups got closer and closer to the pupil's home, for the convenience of both pupils and parents.

As the number of buses increased, so did the purposes for which they could be used. Many a nature class, art or music class, civics class, science class, chorus, band and athletic team has been transported by school bus to special events and occasions. Many a trip to parks, museums, farms, concert halls, theaters, zoos, seats of government, industrial plants, and health clinics has been made possible by the school bus.

Since 1921, the number of children transported at public expense has risen from 600,000 to nearly 20,000,000. The number of vehicles has jumped from about 60,000 in 1930 to about 256,000 at the beginning

of the last school year. During the 1970-71 school year, school buses logged 2,200,000,000 miles at a total cost of one and a half billion dollars. From coast to coast, 43,5 percent of the public school enrollment is bused.

Although busing has figured into the desegregation controversy almost from the time of the Brown decision, busing specifically for desegregation purposes has been used across the Nation only in the last three or four years. Busing as a desegregation tool became a national issue with a series of court decisions, starting in 1966, which will be discussed in the next chapter.

How much of the increase in busing has been caused by desegregation? In a letter dated March 24, 1972, Secretary of Transportation John A. Volpe quoted the National Highway Traffic Safety Administration as estimating that less than one percent of the annual increase in busing can be attributed to desegregation. Taken altogether, according to most published estimates, the number of children who are bused for desegregation is two to four percent of those transported. While busing may seem "massive" to a community just beginning to bus to achieve desegregation, this category of busing accounts for only a small part of the national total.

Indeed, in some parts of the country, desegregation has reduced the amount of busing. In 42 desegregating Georgia districts between 1965 and 1969, with enrollment up 92,000 and the number bused up 14,000, there was a decrease of 473,000 in the total number of miles traveled. Similarly, in 27 Mississippi districts at about the same time bus mileage dropped

210,000 miles although the number bused had increased by 2,500. It is easy to see how desegregation could reduce the amount of busing, especially in rural areas that had extensive busing for segregation purposes. In those localities, white and black children no longer are passing each other on the way to segregated schools lying in opposite directions. Bus routes are more efficient and shorter, meaning shorter and quicker rides for the children.

That a great deal of busing can be tolerated--and by deliberate choice of the parents--was illustrated by statistics on public and private school busing published in 1970 by South Today. The South Today article surveyed pupils at 10 segregated private schools and found that the number of pupils bused averaged 62 percent and that the distance averaged 17.7 miles each way. By contrast, public schools in the eight states in which these private schools were located were busing less than half the enrollment an average of 10.1 miles each way. Thus more of the private school students were being bused, and they were traveling an average of 7.6 miles each way farther than pupils at the public schools.

To grasp the importance of the school bus to American education, one needs only to imagine the national outcry that would result if all bus service for all purposes suddenly were withdrawn. Only when busing is used for desegregation purposes is there bitter complaint.

II

Before 1954, public school segregation was lawful in the United States. In 1896, the Supreme Court ruled that states could provide separate facilities for whites and blacks, so long as the facilities were equal.

At the time of the famous 1954 Brown case, segregated schools were required by law in 17 states and were permitted by law in four states. Southern schools were strictly segregated, but they were seldom--if ever--equal. Much more money was spent for white education than for black education, and in some states expenditures for white pupils were several times the outlay for black pupils.

In 1954, the Court unanimously overturned the 1896 decision, declaring that "separate educational facilities are inherently unequal." A year later, in the same case, the Court ordered desegregation to proceed "with all deliberate speed."

However, the speed with which the decision was carried out was all too deliberate. The pace of desegregation was painfully slow, each year depriving more black children of equal educational opportunity. In the mid-1960's, courts took note of the inaction and began ordering segregated school districts to take firmer steps to remove all traces of discrimination.

In the first dozen years after the Brown decision, courts concerned themselves with the right of individual black children to attend non-segregated schools. Southern districts answered with elaborate freedom-of-choice plans which put the burden of desegregation on the

children seeking it. In 1966, however, the Fifth Circuit Court of Appeals focused on the school system as a whole and said formerly dual systems had to convert to "unitary," or single, systems without racial division. The court also said that freedom-of-choice plans would be acceptable only if they resulted in desegregation, and not just the possibility of desegregation.

Two years later, the Supreme Court held that districts have a duty to set up a unitary system and eliminate segregation "root and branch." The Court called for a school system in which there would be no white or black schools, "but just schools."

"The burden on a school board today," the Court said, "is to come forward with a plan that promises realistically to work, and promises realistically to work now."

These two decisions set the stage for the busing controversy. This was not because they ordered busing--the districts involved already had busing--but because they ordered elimination of "white" and "Negro" schools, and in many communities that could be done only by busing both white and black pupils.

In the meantime, a few Northern cities--Boston, Chicago, Evanston, Berkeley, Hartford, Rochester, Riverside and others--began experimenting with busing as a means of increasing school integration. Some of these plans called for "one-way" busing--that is, transporting minority pupils to predominantly white schools. Others called for "two-way" busing, in which both white and minority children would be bused.

In 1969, in a Mississippi case, the Supreme Court declared an end to the "all-deliberate-speed" rule. "The obligation of every school district," the court asserted, "is to terminate dual school systems at once and to operate now and hereafter only unitary schools."

In 1971, in the Charlotte-Mecklenburg case, the Court ruled on what kind of steps should be taken to create a unitary system. The Court held unanimously that busing is a proper means of desegregating schools.

"We find no basis for holding that the local school authorities may not be required to employ bus transportation as one tool of school desegregation," wrote Chief Justice Warren Burger. "Desegregation plans cannot be limited to the walk-in school."

The Court was careful in its handling of the busing issue. It suggested that busing should not be used if the time or distance would endanger the child's health or education. But in the case at hand, the Court saw no such danger.

Courts in the North, meanwhile, also were finding unconstitutional segregation and were ordering desegregation with the use of busing to achieve it. Involved in these decisions were cities like Pontiac, Pasadena, Detroit and Denver. Other cities--Harrisburg, Pennsylvania, for example--acted under State law.

It can be seen from the cases just outlined that desegregation moved gradually and logically in the direction of using every available and reasonable tool, including busing. Old segregation patterns are deeply rooted and slow to give way. It became evident that many American children would never see desegregated classrooms unless

positive steps were taken to break the old pattern.

Nevertheless, courts did not leap to order wholesale busing. On the contrary, busing was called for only when necessary to undo the unconstitutional wrong of segregated schools.

Despite the care with which the courts acted and despite the fact that many years had gone by since the Brown decision, busing drew a violent reaction during 1970 and 1971 in some communities. Busing began dominating the Nation's headlines. Two buses were overturned in Lamar, South Carolina and buses were burned in Denver and Pontiac.

But these headline-making incidents were the exception rather than the rule. While they were happening, scores of districts were desegregating quietly. Moreover, the incidents usually have occurred at the beginning of the school year. Once the school-opening tensions and disturbances settle down, desegregation generally goes forward in orderly fashion.

Many a superintendent, board, and court has struggled to find a way to desegregate effectively without busing. They have had to conclude in the final analysis, that there is no other way. Given the tightly segregated neighborhoods in most American communities, desegregation simply is not possible in many localities without busing and isn't likely to be for years to come. Where courts have ordered school districts to carry out desegregation plans involving busing, they

have done so for a sound reason: namely, that a violation of the Constitution must have an effective remedy and some effective way to bring the violation to an end. Without that, the constitutional right to attend an unsegregated school is meaningless.

III

As an issue of national controversy, busing has created a forest of fears, myths, and incorrect and misleading statements. For example, busing for desegregation purposes frequently is described as "massive" busing. But as we have seen, the number of children bused solely for desegregation purposes is relatively small.

Busing for desegregation purposes often is called "forced" busing. But as noted previously, pupil transportation in America followed closely behind compulsory education, which "forces" children to go to school, whether by foot or by bus. Thus any busing in a state with a compulsory attendance law could be called "forced" busing, for the child has to go to school and has to attend the school to which he is assigned, and the bus is his means of getting there. Moreover, as mentioned previously, bus trips to private schools--to which parents freely choose to send their children--often are much longer than trips to public schools.

Somehow the busing-for-desegregation debate has become clouded in its own language and expressions, in which the word "busing" almost always follows such labels as "massive" and "forced," and in which the defenders of busing are pictured as wanting children bused simply to have the experience of being bused.

Somehow a pattern of fears and myths has become fixed in the minds of the public, making it hard to sort out the facts and determine what is true and what is false. This chapter will deal, one by one, with some of the fears and myths often heard about busing:

1. A child has a right to attend a "neighborhood" school.

Long before the busing issue, there were parents who wanted the right to send their children to the school of their choice. Sometimes they wanted to send their children to the "neighborhood" school and sometimes they wanted to send their children to schools outside the neighborhood.

Parents who felt that their children should attend the same school as children in the next block wanted the say-so about which of two nearby schools would be their "neighborhood" school. Sometimes parents have felt that the route to one school would be safer than the route to another because of traffic, the lack of sidewalks or crossing guards and so on.

At times parents have wanted to send their children to schools outside the neighborhood. Sometimes a parent would feel that a school a little farther away would have better teachers. Sometimes classrooms would be less crowded at another school. And sometimes their children would have more friends at another school.

A few parents have gone to court to force a school board to send their children to a certain school. In some of these law suits parents have insisted that their children be sent to the nearest -- that is, the "neighborhood" -- school. Courts have ruled in these cases that the school board, and not the parents, has the right to determine which school a child will attend.

A 1965 Michigan case provides an example. The local board felt that because a school was overcrowded some of the pupils should be sent to another school farther away (and, keep in mind, this was several years before the busing controversy in that State). The court ruled that the board had the right to send the students to a school other than the "neighborhood" school.

For many years, of course, some States sent all pupils of one race to one school and all the pupils of another race to another school, no matter what the parents said. Often this meant going right past the door of a nearby school to another school much farther away.

Courts backed up the boards, holding that there was no legal or sacred right to a "neighborhood" school. The courts held that boards had the right to make pupil assignments and decide to which school a child would go. In an 1876 Cincinnati case, a court used colorful language to make that point, saying that "children cannot cluster around their school like they do around their parish church."

In recent times, courts have supported the right of boards to send children to certain schools in order to reduce segregation. Courts have upheld boards which have taken the position that the best schooling is schooling which does not occur in segregated classrooms. The courts have regarded this as a sound educational position with which they should not interfere. The Pennsylvania Supreme Court went on to point out that the neighborhood-based school made up, by and large, of children of the same race and status--is the exact opposite of the old "common" school, which is deeply rooted in American history and

which brought together children from a wide variety of families and backgrounds.

Clearly parents cannot, on their own, make the final decision about where to send their children--whether it be to the nearest school, the "best" school, the newest school, or whatever. A school district in which parents made such final decisions could hardly operate, because every parent would want to enroll his children in the "best" or most convenient school. The final decision must be made by the board, on the basis of what is best for the district as a whole, and no parent has the absolute right to send his child to a school simply because it happens to be geographically nearest.

The educational trend in recent years has been away from the neighborhood school, whose facilities are necessarily limited by size, toward larger schools which can provide better facilities and a broader curriculum. The neighborhood school was not sacred in the days of segregation, and there is no reason why it should be today. To make the neighborhood school the cornerstone of American education would be to turn the clock back educationally as well as socially.

2. Busing puts a child out of reach of his parents or neighbors when school illnesses and injuries occur.

This is a fear that seems to bother many parents more than it should. Children do have accidents and get sick at school, but not very often.

If the matter is serious, school authorities are capable of seeing that the child gets immediate attention. Some schools have small buses and automobiles that are used to transport handicapped children, and these can be used in an emergency. Of course, nearly all school officials have private automobiles handy which could be used if necessary. Some large schools have first-aid facilities and equipment and faculty members with health and first-aid training.

Harrisburg, Pennsylvania prepared this response to questions about what would happen if a child who is bused got sick or hurt at school:

"The school nurse will be called immediately for preliminary diagnosis and treatment. A parent will be called if warranted. If a parent is unable to pick up the child, the school district will provide transportation to take the child home."

The concern is one that undoubtedly has passed through the minds of millions of parents whose children have been bused all along for reasons having nothing to do with desegregation (less than half the Nation's school enrollment walks to school). Yet the concern has not been serious enough to block such bus-related educational developments as consolidation, often requested and ardently supported by parents. It can hardly pose a danger of major proportions now for the relatively small percentage of children who are bused for desegregation.

3. Buses aren't safe.

Thousands of American parents would disagree with that statement. In school districts across the country, they have been asking for more busing, not less.

The reason, of course, is the growing congestion in urban areas and the ever-increasing number of automobiles. Streets that once rarely saw an automobile, and could be used to play catch or touch football at practically any time of the day, now are clogged with automobiles. Streets once safe now are dangerous for young children to cross.

Hence many parents have been asking for--indeed, demanding--bus service. Gradually, over the years, school districts have been providing bus service closer and closer to the homes of the children. The parents who have been demanding this service regard buses as being safer than walking, rather than the reverse. Stringent state traffic laws go to great lengths to protect buses and the children who ride them.

Parents whose children are bused can take comfort in the fact that the National Safety Council regards the school bus as "the safest transportation in the United States." Says the Council: "The school bus is safer to travel in than your own automobile, an airplane, buses (other than school buses), or a passenger train."

The National Safety Council's latest statistics show that while there are 2.4 fatalities per 100 million miles of travel in private automobiles and .29 in airplanes, the figure for school buses is .06.

4. <u>Fights and racial clashes occur on buses and in the desegregated schools.</u>

Scuffling, bullying and other childish behavior has always been a part of growing up and always will be. It occurs wherever children gather--at home, on playgrounds, at school, and on the way to and from school, whether the trip is on foot or by bus.

As far back as 1939 educators were trying to decide if busing caused an increase in disciplinary problems. Their conclusion was that it does not.

Nevertheless, districts using busing have taken steps to reduce incidents on buses. The standard approach has been to place monitors on buses, as well as in the halls and schoolyards. Some parents believe their children are safer on a bus with an adult monitor than they would be walking home individually or in small groups.

School disorders are indeed a problem. But the fact that disorders can occur, and have occurred, at schools and on buses before they were desegregated indicates that such incidents are not uniquely connected with busing for desegregation. Moreover, there is reason to believe that some incidents are given overblown attention -- in and out of the press -- if they somehow can be connected with the controversial issue of busing. Some incidents that otherwise would not even be reported suddenly are "racial" incidents.

Staff members of the Commission on Civil Rights have found that where incidents occur, they generally take place at the beginning of the school year and quickly die down. There is considerable evidence that disorderly pupils take their cue from their elders, particularly those in the community. Students can hardly be unaffected when adults burn and bomb buses, throw up picket lines, and shout insults. If there is tension and disorder outside the school, there is bound to be tension and disorder inside.

Once the protests and demonstrations fade, so do school disorders. In Pontiac, for example, discipline returned to normal and monitors were removed after the pickets left the schools. In Pasadena, incidents in the schools have dropped to the lowest point in six years.

Uneasiness at first is to be expected, of course, when children are being placed in new and unfamiliar learning situations. Some districts have moved creatively to prepare schools, officials, teachers, parents, pupils and the community for desegregation, often with successful results. Students themselves have taken steps to make the change to biracial education as smooth as possible. But when a busing program is carried out quietly and smoothly it makes very small headlines or none at all.

5. Busing forces children to spend long hours away from home, thereby taking away play and study time.

There seems little doubt in the minds of busing opponents that busing steals hour after hour from the children. The facts do not support this result as being a natural and usual consequence of busing.

Indeed, in the South the reverse can and does happen. Desegregation actually can cause many children to spend less time on the bus. This is because children are no longer bused past one segregated school to get to another, and hence the trip is shorter.

In Hoke County, North Carolina, for example, the switch from segregation to integration resulted in bus runs 15 minutes shorter. In Georgia the number of pupils bused statewide has risen gradually from 516,000 in 1967-68 to 566,000 in 1970-71. During the same period, however, the number of miles logged by Georgia buses has dropped from 53,997,000 to 51,257,000.

Similarly, it is possible that an attendance area in a Northern district might be so drawn that a bus trip after desegregation might be quicker than the ride or walk prior to desegregation.

In most districts where pupils are being bused for desegregation, trips are rarely long. The average travel time reported seems to be 20 to 30 minutes. Trips of an hour or more would be out of the ordinary. A trip of a half hour or so would not bring the pupil home much later than if he walked from a neighborhood school.

The desegregation order for Richmond, Virginia, for example, would call for average bus rides of about 30 minutes, which is less than the current average in an adjacent county involved in the decision.

Of 11 cities surveyed recently by the Center for National Policy Review, the length of the average trip had been increased by more than 15 minutes in only two. In six cities, the average trip remained exactly the same before and after court-ordered desegregation.

The Supreme Court, in the Charlotte-Mecklenburg case, was mindful of the fact that children should not be subjected to bus rides "when the time or distance of travel is so great as to risk either the health of the children or significantly impinge on the educational process." Thus the Court has already taken steps to protect children against the overlong trips that concern busing opponents.

6. <u>Minority Americans are just as opposed to busing as majority Americans.</u>

This assumption on the part of busing opponents is more wishful thinking than fact.

It is true that many minority Americans are apprehensive about desegregation, but rarely because it would mean a bus ride for their children. They have more solid reasons. At times they oppose desegregation, and not without cause. Minority schools have been closed in carrying out desegregation plans while previously white schools remained in use. Often it has been the minority senior high school that has been converted to a desegregated junior high school. Some black and Mexican American principals and teachers have lost their jobs or have been demoted.

Minority Americans have another concern about desegregation. They fear that their children might be abused and mistreated in a predominantly white school and might be swallowed up in the dominant white atmosphere. They remember the taunts and threats from Little Rock onward. Some minority parents feel that their children therefore would be better off in an improved school serving their own group.

Some minority Americans have been discouraged by what they sense to be white opposition to desegregation at every step of the way. In frustration and dismay, they have come to question integration.

While many minority Americans share these strong concerns, most nevertheless want desegregation. They recognize, as do most majority Americans, that ours is one Nation--not two or three--and that the Nation cannot be sure of its future until its citizens learn to live together, beginning in the classroom.

More concretely, minority Americans have long known, as the Supreme Court stated in 1954, that "separate educational facilities are inherently unequal." As one black leader put it recently, the only way to make sure that black Americans receive an equal educational opportunity is to put them into the same classrooms with whites.

In several cities, the Commission on Civil Rights has been told of inner-city schools that have been improved magically and almost overnight when the district launched a busing program. And in a letter to a Washington newspaper, a black parent from North Carolina gave her own testimony:

"Within one month, the parents of the white children who were bused managed to get the black school painted, repairs made, new electric typewriters and sewing machines, and the shelves filled with books...

"I contend that busing for one year will upgrade all our schools quicker than anything the President or Congress can do."

7. Busing is too expensive.

To be sure, a school bus is not an inexpensive item. The average school bus costs $8,500.

However, pupil transportation is a relatively small part of the Nation's education budget. Down through the decades, although the number of children bused has risen substantially, that part of the education budget which goes for pupil transportation has stayed about the same. In 1933, the expenditure for pupil transportation was 3.5 percent of the cost of operating public schools. In 1969-70, it was 3.6 percent.

Last year, the cost of pupil transportation was just over $1.5 billion, out of a total public school expenditure of nearly $44 billion.

When school districts talk about the great cost of busing they are speaking, generally, about capital outlay -- that is, the one-time expenditure of funds to buy the necessary buses to carry out a desegregation plan. This initial expenditure can, indeed, put a severe strain on limited school funds. Past legislation has made Federal funds available to help districts buy buses, and this seems the logical answer to the initial burden of acquiring buses.

8. Instead of busing, we should spend the money on education.

This issue is at the heart of the busing debate. Some argue that learning can best be advanced in desegregated schools; others argue that learning can best be advanced by leaving children in segregated neighborhood schools and pumping catch-up funds for compensatory education into schools serving low-income areas.

For some 15 years, educators and social scientists have been debating the matter, and the debate is far from over.

In the thick of the debate is a massive 1966 Federal study called the "Coleman Report." Boiled down, the Coleman Report found that minority children from low-income families learn faster when there is racial and economic integration of classrooms. The report said family background is, by far, the most important factor in a child's education, but an integrated classroom can accelerate learning.

Other studies have found that minority students do better in integrated classrooms. A 1968 report said the evidence "is quite conclusive; i.e., integrated minority pupils recorded higher achievement gains than segregated minority pupils." Said another report: "Several studies, which compared disadvantaged Negroes in traditional compensatory education programs with Negro students transferred to majority white schools, showed integration to be superior."

The issue is not integration versus compensatory education, but whether catch-up programs can work by themselves. In 1967 the Commission on Civil Rights evaluated compensatory education programs in isolated schools

in large cities and concluded: "In most instances, the data did not show significant gains in achievement." Berkeley, California found that compensatory education in racially isolated schools was not closing the education gap, so Berkeley coupled compensatory education with an integration program accomplished through busing. Results to date in Berkeley show advanced achievement by both white and minority students.

Some busing opponents say desegregation is a failure because it has not yet closed the achievement gap between majority and minority pupils. This criticism overlooks the fact that widespread desegregation through the use of busing is a fairly new development. It would be unrealistic to expect a few years of desegregation to overcome the effects of generations of discrimination. But in one desegregated system after another, the gap is being closed.

To repeat, it is not a question of desegregation versus compensatory education. Both are needed to bring education alive for all of the Nation's pupils. As the National Advisory Council on the Education of Disadvantaged Children said in 1969:

"School desegregation and compensatory education are not an either/or proposition, but are mutually complementary actions which can lose much of their effectiveness in isolation from each other."

9. Busing prevents students from taking part in extra-curricular activities.

There is little reason why this should happen. Students have been riding buses for years, sometimes in remote rural areas, without surrendering after-school activities.

Districts undertaking desegregation through busing commonly have provided what is known as an "activity" bus. The "activity" bus is scheduled so that it doesn't leave until late, an hour or so after school ends for the day. Thus there is late bus service available to take students home after football and basketball practice, play rehearsals, band practice, track meets, chorus rehearsals, club meetings, and so on.

A teacher in Berkeley, California, who had the same concern often voiced by parents about pupils having to sacrifice extra-curricular activities, has written:

"I know the anxieties parents feel when school authorities begin talking about busing....We were concerned that our son (a fifth-grader) would not be able to participate in after-school activities at his new school."

But the school system provided "activity" buses to keep that from happening, and the teacher reported:

"People in Berkeley now feel a tremedous sense of pride in having made it work. And the evidence has begun to come in, showing the improved achievement levels of the disadvantaged children....My own hope is that busing will now settle back into the secondary issue it really is."

10. Busing would carry children into dangerous neighborhoods where drugs, crime, and violence are commonplace.

Drugs and crime pose a very real threat to society. But the notion that they are limited only to inner-city neighborhoods simply does not square with the facts.

Recent statistics released by the Federal Bureau of Investigation show that crime respects no boundary between city and suburb. In fact, it is increasing faster in the suburbs than in the cities. Violent crime, for example, was up 13 percent in suburban areas and 9 percent in cities. As for drugs, suburban and inner-city parents alike can testify that their schools are far from being drug-free.

The job of school officials is to see that no children--whether they are bused or walk--are placed in danger. And the schools are taking the steps necessary to meet this duty. The steps include adult crossing guards, neighborhood and school monitors, and close coordination with police and municipal authorities.

The problem of safeguarding children from crime and violence is a very real one, but it has nothing to do with busing. If a neighborhood in which a school is located poses a threat to school children, the school should be closed and the children should be sent to another school. If school and municipal authorities cannot make certain that a school is safe, no child should be made to attend it, whether he walks to school or gets there by bus.

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In short, the answer to the very real problem of danger to school children does not lie in stopping the busing of some, but in taking steps to assure that all children can attend school in safety.

11. Busing penalizes white students by setting them back until other pupils "catch up."

No study supports this statement. On the other hand, a number of studies have found that white pupils either have gained or stayed about the same after integration.

Berkeley, California and Louisville, Kentucky found that both majority and minority pupils gained. Riverside, California and Denver, Colorado reported that the education of white children had not suffered. Evanston, Illinois found the same thing--adding that in the process the community "has made considerable gains in the improvement of communications between races."

Far from damaging educational opportunity for whites, busing often means better educational offerings for everyone. That is because busing frequently is the occasion for a district to reorganize its schools and make educational improvements.

At schools that previously had heavy minority enrollments, the change is especially dramatic. These schools often are given repairs, additional teachers and general improvements during or just after desegregation--to the benefit of both white and minority pupils enrolled in them.

To experts inside and outside the field of education, desegregation is an essential part of quality education and segregation is educationally harmful to both minority and majority pupils. Dr. Michael J. Bakalis, Illinois state school superintendent, put it this way in recent congressional testimony:

"A high price is paid by any child, be he white or black, who goes through his entire school career without ever meeting a child

or teacher of another racial or ethnic background...Segregated schools can only serve to nurture prejudicial attitudes among the young and to divide us further as a people. A child who has been so isolated throughout his formative years is being educationally deprived."

12. It is not the job of the schools to cure social ills.

This statement, frequently made by busing opponents, takes an extremely narrow view of education's role.

Education is more than reading, writing and arithmetic; education is preparation for life. Students need more than facts and problem-solving skills; they need to know how to lead full and useful lives in a complex world. In a Nation made up of a variety of races and nationalities, that means learning how to live and work with people of different skin colors and cultural backgrounds.

If one accepts this broad view of education, one cannot imagine a worse way of undertaking it than in classrooms segregated along lines of race and national origin.

The segregated classroom stands to millions of minority Americans as proof that majority Americans do not wish to surrender the separate but unequal educational advantage that is theirs from early childhood. The segregated classroom denies millions of majority Americans the opportunity to become acquainted with minority children whose future they share.

As the president of the Pontiac PTA told a House Subcommittee recently:

"The inconvenience busing creates for the parents and the extra time students spend on the bus seem a very small price to pay to see, hopefully, our children mature into the type of American citizens that the drafters of our Constitution and the present interpreters of the

Constitution must have envisioned when they included and interpreted the provisions for equality."

Few top educators would agree to a role for education insulated from the Nation's social problems. Segregated schooling might provide instruction, but it does not provide education.

CONCLUSION

In the first three chapters we have tried to put the busing controversy into the proper light. It is not easy to separate the exaggerations about busing from what busing actually is: that is, simply one of many tools with which school districts can carry out their constitutional duty to desegregate.

Busing is a last resort and only that. But when all other tools are ineffective, school districts have the duty to use the last remaining tool to meet their constitutional obligation.

In the first chapter, we discussed the history and background of busing, showing that busing is a long established and widely used means of getting American children to and from their classrooms. In the second chapter, we traced the legal history of desegregation and the logical steps through which the Supreme Court decided that busing i a proper means of accomplishing desegregation. In the third chapter, we looked at some of the fears and myths about busing and the arguments that are commonly used against busing.

This publication has been developed to present to the American public as factual a statement as possible on all or most of the issues that surround busing.

The United States Commission on Civil Rights believes that it is essential for the American public to be fully informed on these issues. We believe that the facts presented in this publication can serve to set the record straight.

For 50 years, the school bus has been a friendly figure--an accepted and vital part of the American educational picture. Without

the bus, millions of Americans would have had to rely on the limited educational offerings of one-room schools. Some might never have completed school.

Now, because it is being used to carry out desegregation plans, some suddenly have cast the familiar yellow bus as a villain. It is a reversal of roles that cannot but trouble throughtful Americans.

The basic issue is not busing but integration. Either we continue moving toward the goal of integration, or we reject it and hold onto the separate schooling outlawed in the Brown decision. For in rejecting busing in the racially segregated situation in which most Americans live today, we also reject integration.

Instead of resisting busing, the Nation should seek to follow the example of some 30 seventh graders at Jefferson Junior High School in Pontiac, Michigan. After buses were burned, schools were picketed, and children were called insulting names, the seventh graders decided to come to the defense of busing and integration in that city. They formed a biracial organization, called "The Group," which travels from school to school, putting on skits and conducting other activities in behalf of racial harmony in Pontiac. Their slogan:

"We Can Make It Work."

It is a motto worthy of parents, educators, all branches of government, and the Nation as a whole.

GPO 927-188

SAN DIEGO STATE UNIVERSITY
1897

May 18, 1972

U. S. Commission on Civil Rights
Education Chairman
1405 I Street, N W
Washington, D C 20425

Gentlemen:

The morning paper reported that the Commission has just issued a report that "explodes the myths" about school busing to achieve desegregation. The title of the report was not indicated, but said it was a 36 page report.

We would be very interested in obtaining a copy as soon as possible. We have been attempting to educate the San Diego community on its degree of segregation and the problem we must deal with. This report would probably very useful to help us in confronting the issue with the community.

In addition to the current citizens/ACLU law suit against the school board, last Saturday the local chapter of the League of Women voters passed a resolution to initiate another law suit against the board.

With the pre-Field act earthquake schools, the Bagley bill, the house/senate anti-busing moritorium, and the local law suits the education situation in San Diego is quite active.

Thank you,

Mrs. Dorothy M Lloyd
Executive Secretary

xxxxxxxxxxxxxx xxxx
3386 30th St., San Diego, CA 92104
295-5800

May 30, 1972

U. S. Commission on Civil Rights
1405 Eye St. N.W.
Washing, D C 20425

Gentlemen:

Thank you for sending us a copy of "Your Child and Busing".

We read it with interest and believe that it would be useful to be able to provide it to citizens that have indicated an interest. We are currently making public appearances about the problems of school balance and transportation in our district.

Are copies of this report available in quantities? Are they free? What is the charge?

If there is a charge and we can't afford it, would it be possible to have permission to condense the information on the 12 points commonly used against busing to make a fact sheet with credits to the Commission and the address where to obtain full copies of the report?

Thank you for your continuing interest and support.

Sincerely,

Mrs. Dorothy Lloyd
Executive Secretary

UNITED STATES COMMISSION ON CIVIL RIGHTS

Washington, D. C. 20425

June 6, 1972

Mrs. Dorothy Lloyd
Executive Secretary
Citizens United for Racial Equality
3386 30th Street
San Diego, California 92104

Dear Mrs. Lloyd:

The Commission on Civil Rights is very pleased with the interest your organization has shown in our publication "Your Child and Busing". However, we regret to inform you that this edition is currently exhausted and a new one is being printed.

When we receive our new shipment shortly we will be glad to send you 50 copies at no charge. Additional copies of a printed edition may be otained at the Government Printing Office within the next few weeks. I do not yet know what the price will be, but the charge will be nominal and a 25 percent discount will be allowed for each order of 100 copies.

With renewed thanks for your interest,

Sincerely,

Joseph W. Swanson

JOSEPH W. SWANSON
Acting Director of Information
and Publications

rec'd 50 books
8-23-72

CURE
CITIZENS UNITED FOR RACIAL EQUALITY
3386 - 30th STREET, SAN DIEGO, CALIFORNIA 92104
295-5800

August 17, 1972

United States Commission on Civil Rights
Washington, D. C. 20425

Attention: Mr. Joseph W. Swanson
Acting Director of Information and Publications

Dear Sir:

Thank you for your letter of June 6th indicating that CURE could acquire 50 copies at no charge of the publication "Your Child and Busing".

Since activity is slow in the summer, we have not taken advantage of your offer. However, we are currently making preparations for a large public meeting to be held in September where we could easily distribute the 50 copies. If you would send them to us now, we would appreciate it.

Thank you for your continued support.

Sincerely,

Mrs. Dorothy Lloyd
Executive Secretary

September 8, 1972

Superintendent of Documents
United States Printing Office
Washington, D C

Dear Sir:

Please send us a price list for the publication "Your Child and Busing", clearinghouse publication No. 36. We are interested in both single copy and quantity copy prices.

Thank you for your assistance.

Very truly yours,

Mrs. Dorothy M Lloyd
Executive Secretary

SAN DIEGO STATE UNIVERSITY 1897

CURE
CITIZENS UNITED FOR RACIAL EQUALITY
3386 - 30th STREET, SAN DIEGO, CALIFORNIA 92104
295-5800

September 8, 1972

SEE ATTACHED

Superintendent of Documents
United States Printing Office
Washington, D C

CR1.10:36

Dear Sir:

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35¢ each

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Dorothy M Lloyd

Mrs. Dorothy M Lloyd
Executive Secretary

5

UNITED STATES GOVERNMENT PRINTING OFFICE
PUBLIC DOCUMENTS DEPARTMENT
WASHINGTON, D.C. 20402

Thank you for your inquiry which is enclosed. The prices of publications have been indicated on your letter. Unless otherwise noted, prices are for single copies.

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There is no free distribution by this Office, since we are established by law as the sales agency for Government publications.

Please return your letter to this Office with any order or further correspondence concerning it, as we have made no record of your inquiry.

Sincerely,

ROBERT E. KLING, ~~Jr.~~
Superintendent of Documents

PLEASE USE THE ORDER BLANK ON THE REVERSE SIDE

SD-161-71

September 15, 1972

U. S. Commission on Civil Rights
Education Chairman
1405 I Street, N W
Washington, D C 20425

Dear Sir:

CURE is deeply involved with fighting Proposition 21. This is the anti-integration measure on the Nov. 7th ballot.

In our effort to reach as much of the community as possible through ministers, local leaders etc. we have been using your booklet "Your Child and Busing" for reference material. Our supply has been rapidly depleted and we urgently need 200 copies.

Since the government printing office is too slow in filling orders, we wonder if you could give us some needed assistance? Would you order 200 copies to be sent to us immediately and have them bill us? I would send you a check, but do not know the price for this publication. Do you know the price?

We certainly appreciate your help in this frantic situation.

Thanks much,

Dorothy Lloyd
Executive Secretary