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District Court Gets Franklin School Plans

NAACP Seeks Total Grade Consolidation

Attorneys for eleven Franklin County Negro parents, plaintiffs in the three-year-old school desegregation suit, have filed a plan with U. S. Eastern District Judge Algernon Butler calling for total desegregation of the county school system this fall. The plan, one of three presented to the Court Monday, proposes that all present facilities except Cedar Street School and Youngsville Elementary School be used.

The plaintiffs' plan calls for the schools "to be reorganized to serve the following grades: Gethsemane, grades 1-7; and Bunn, grades 8-12; Perry's, grades 1-7 and Gold Sand, grades 8-12; Edward Best Elementary, grades 1-7 and Edward Best High School, grades 8-12; Youngsville High School, grades 1-12; Riverside, grades 1-8 and Louisburg, grades 9-12. It calls for the closing of Cedar Street and Youngsville Elementary schools.

This plan would make elementary schools out of present Negro schools and high schools at the present predominantly white schools. This is proposed for the opening of the school year, six weeks from Wednesday.

All children in the districts served by the named schools would attend the school in that district under the plaintiffs' plan.

It also calls for reorganization of the bus transportation and orders that "teachers, principals and school personnel shall not be dismissed, demoted or passed over for retention in the system because of race or color."

The NAACP plan also calls for "All school facilities, school functions, programs and activities and related or sanctioned activities and programs, including athletics to be conducted on a completely non-racial basis."

Also proposed in the plaintiffs' plan is a number of restrictions on future actions by the Board of Education. This section sets forth a number of reports on such actions to be filed with the Court and opposing attorneys ahead of any implementation of the actions.

Included in these reports would be such things as racial breakdown of all schools in the system; the same for teachers and school personnel, and a report of all applications for teaching positions. The Board of Education would, under this plan, be forced to report all "new construction, additions, or alterations or modernization planned or projected."

Also asked for in the NAACP plan, presented to the Court is that the "plaintiffs are awarded their costs herein including reasonable counsel fees." These include fees for clerks and marshals, court reporter and stenographic transcripts, printing and disbursements, "exemplification and copies of papers" and docket fees.

Judge Butler stated on June 20, that he would accept plans from the plaintiffs, the U. S. Justice Department, plaintiff-intervenor and ordered a plan to be presented by the Franklin Board of Education. He said he would accept one of the three plans or write one of his own.

Mrs. Hugh Hayes Attack Victim

An attack, suffered at the home of a daughter this morning around 8:30 A.M., proved fatal to Mrs. Clifton Mundy Hayes, 70, a long-time resident of Louisburg. Mrs. Hayes, the widow of the late Hugh Hayes of Louisburg, was dead when members of the Louisburg Rescue Service arrived at the home of Mrs. E. F. Yarborough on Main Street here.

Graveside services will be held Wednesday afternoon at 4 p.m. from Oakwood Cemetery here, conducted by Rev. Norwood Jones, pastor of the Louisburg Methodist Church, and Rev. Frank Pulley, Rector of St. Paul's Episcopal Church.

Mrs. Hayes is survived by three daughters, Mrs. E. F. Yarborough of Louisburg, Mrs. James A. Best of Ellicott City, Maryland, and Mrs. Robert D. Ward of Charlotte, four grandchildren and one great grandchild.



Groundbreaking Ceremonies Held For Center

Officials and friends of Town and Country Recreation, Inc. are shown above at last Thursday's groundbreaking ceremonies held at the site two miles east of Louisburg on the Hickory Rock Road. Pictured left to right are, Conrad (Buzzie) Sturges, J. Harold Talton, David Daniel, President of the organization, Walter McDonald, Ronald Tharrington, Ed Rogers, Al Fox, Mrs. Rachel Phelps, Mrs. Marjorie Leonard, James Ivey and Wade Moore.

Immediately following the ceremonies Moore's equipment began clearing a road to the site of the new swimming pool, expected to be completed in six weeks.

Daniel told the group, "I think it is significant that we begin this project today, when there are those who say Franklin County is declining. When those in high places criticize us and when we are in federal court. It shows that we are capable of doing things for ourselves and it shows that there is still such a thing as private citizenry."

He praised the Board of Directors, most of whom were present, Talton for his aid in the financing of the project, Sturges for his legal advice and others. Daniel said the event came about "after many months, many miles and many prayers plus many other contacts."

Plans Mean Nothing Until Judge Rules

Editor's Note: The author is now and has been since 1961 a member of the Franklin County Board of Education. With other members of the Board, the Superintendent of Schools and the Board's attorneys, he has studied all three proposed plans and has been in close contact with all developments in the three-year-old school suit. The following is a brief explanation of what Monday's filing of three proposed plans means as of today.

Mass confusion seems to have taken over since the early reports here Monday of various aspects of the three school desegregation plans presented to the U. S. Eastern District Court. Many people express varying degrees of concern for portions of one or another of the three plans and many have made up their minds that one of the plans is already the law for Franklin County.

By way of clarification, none of the three plans means anything at all at this stage. Until Judge Alernon Butler

of Clinton, N. C. selects one or writes one of his own or takes some other action, the plans are just paper and have no bearing whatsoever on the operation of the schools.

However, once the Judge rules on a plan and signs it as an order, the Franklin County system will be operated under that plan, whatever it might eventually be. Just when the Judge will rule and what the nature of his ruling might be is anybody's guess at this point.

It is premature to assume that the NAACP plan or the Government's plan or even the Board of Education's plan will be acceptable to the Court. A combination of the three could be ordered or a complete new method of arriving at a unitary non-racial school system might be drawn.

Briefly, here is what the three plans propose:

BOARD OF EDUCATION PLAN
An increase in assignment of Negro pupils to predominantly white schools

this fall; an increase in the number of teachers crossing racial lines this fall; consolidation of Negro high schools into predominantly white high schools next fall; and consolidation of elementary grades in the 1970-71 school year.

NAACP PLAN

Basically, this plan calls for the consolidation of all elementary grades into the Negro schools this fall and the consolidation of all high school grades into the predominantly white high schools this fall. It also requires that the teaching staff be totally desegregated and seeks control over future plans, buildings and hiring practices by the Board of Education.

GOVERNMENT PLAN

This plan differs with the one proposed by the NAACP only in that it would leave it to the School Board to decide on where to consolidate elementary schools and high schools. It calls for total consolidation of grades

See UNTIL JUDGE RULES Page 6



Officers Blow Huge Still

Franklin Sheriff William T. Dement is shown above, center, early last Friday morning as he and his department with ATU officers, Mike Zetts, right and Don Devano, not shown, prepared to destroy an illegal whiskey still in Harris Township. Franklin Jailer, W. L. Faulkner, is shown behind Dement. The twin 300-gallon subs, powered by a steam boiler, was blown up around 7 a.m. Also destroyed at the site were 110 60-gallon mash barrels, six 200-gallon mash boxes and 1400 gallons of mash. The still was not in operation and no arrests were made. Officers suspected the operation was about to be moved to another location.

School Board Proposes Three-Step Plan

The Franklin County Board of Education, under order of U. S. Eastern District Judge Algernon Butler, filed a new plan of school desegregation Monday. The plan calls for a three step transition to a unitary nonracial school system and would be completed at the beginning of the 1970-71 school year.

Under the Board's plan, 750 Negro students would be assigned this fall to predominantly white schools and 45 teachers would be assigned across racial lines. This would about double the integration of the past year.

For the 1969-70 school year, Riverside, Gethsemane, Perry's and Epsom high schools would be closed and all high school students would be assigned to Louisburg, Youngsville, Bunn, Edward Best and Gold Sand high schools on a unitary nonracial basis.

At the start of the 1970-71 school year all students in the Franklin County system "will be assigned to schools on a unitary nonracial basis."

Board attorney E. F. Yarborough said, "The Board has the funds and the means to effectuate this plan. It can be put into effect without considerable degree of interruption of the continuity of the children's education."

The NAACP attorneys representing eleven Franklin County Negro parents and the U. S. Justice Department have also presented plans. Although worded somewhat differently, both basically call for total desegregation for this fall.

Government Calls For Total Integration

The U. S. Department of Justice, plaintiff-intervenor in the three-year-old Coppedge vs the Franklin County Board of Education school case, filed a proposed plan of desegregation for the county in U. S. Eastern District Court Monday.

The government's plan calls for complete desegregation of Franklin schools this fall but leaves the location of grades to the Board of Education. Unlike the companion plan presented by NAACP attorneys in the case, the Justice Department leaves it to the Board of Education to decide whether to put elementary schools or high schools at present school sites. It prohibits the location of the same grade in a district in more than one school. That is, it forbids establishment of so-called "neighborhood schools."

The government's plan calls for attendance zones to be established for both races along lines now set for predominantly white schools. It states, "All pupils in the district shall attend a school within their attendance zones, except that where pupil distribution may result in unequal utilization of school capacities based on pupil classroom ratios, the defendants shall assign students residing near the boundaries of zones in which the schools are overcrowded to adjoining zones which have less crowded schools."

The government plan also proposes that "... no school shall offer a grade or enroll students in a grade that is taught at any other school in the same attendance zone."

In a "Statement" accompanying the government's plan, the Justice Department says, "The decision as to which grades are to be offered at each school is left to the defendants, so that federal involvement in the operation of the schools is kept at the minimum level compatible with the prompt enjoyment by the children of Franklin County of their constitutional rights."

The government's plan quotes statements taken from testimony by William Stormer, whom the Justice Department says is an expert in school organization.

Giving as reasons for selecting its plan over "straight geographical zoning", the government says (1) "The pairings of the schools will avoid the continuation of small educationally disadvantageous high schools; (2) There are no serious administrative difficulties precluding a prompt transition to grade centers, and the adjustment can be made with ease and (3) Consolidation of grades as between white and Negro schools will automatically result in complete faculty desegregation."

The government says their plan "promises speedier and more effective conversion to a unitary non-racial system."

The government's plan, a plan presented by attorneys for the Negro plaintiffs and one ordered from the Board of Education were presented to Judge Algernon Butler Monday. There is no certainty just when Judge Butler will rule in the matter, but time is running out for the coming school year. Judge Butler has said if he liked none of the three plans, he would write one of his own.

Smith pointed out that principals are not scheduled to report for several weeks yet and that any mass movement of books, desks, rerouting of buses, etc. would be a tremendous undertaking.

Charles Davis, attorney to the Board, said Monday, "The members of the Board of Education, the Superintendent and his staff, and others involved have worked diligently over the past several months to come up with a desegregation plan that complies with Judge Butler's order of August 17, 1967. Since Judge Butler has ordered Franklin County to fully desegregate its school system, in my opinion the plan adopted by the Board is the fairest and most practical plan that the Board could adopt and still be in compliance with Judge Butler's order."

Under the plan presented by the Board of Education, 45 teachers would be assigned across racial lines in the coming year and in 1969-70 "each faculty shall contain the same approximate percentage of non-white teachers as there is in the entire system."

The School Board plan is short, contained in two pages while plans submitted by the plaintiffs and the government are several pages long and spell out future reports to be submitted by the Board of Education as well as a plan for total desegregation this fall.

Judge Butler said on June 20, 1968 that he would accept plans from the Justice Department and the NAACP and ordered the Board of Education to present one. He stated he would take the one he liked or write one himself. He turned down a three-year plan of desegregation presented by the Board on June 20 in compliance with his order of August 17, 1967.

Industrial Leaders In Kansas City

J. Harold Talton, Chairman of the Industrial Development Commission and Kenneth Schubart, newly appointed Industrial Development Director are in Kansas City, Mo. this week visiting an industrial prospect for Franklin County.

Accompanied by an official of the State Conservation and Development Department, Talton and Schubart are expected to return here sometime Wednesday. No details were learned about the nature of the prospect, but a reliable source reported the threesome were visiting with an individual concern as opposed to making a search for interested firms.

Deadline Set

Town Tax Collector R. Lee Johnson announced that July 31st is the deadline for buying town privilege license. Those who don't meet the July 31st deadline will be charged an extra 5% penalty for late payment, and a 5% penalty each month will be charged until paid, Johnson stated.

Johnson urges all merchants, contractors, trade people, and all others who are required by law to obtain a privilege license, to do so before the extra cost goes into effect August 1, 1968.