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3/29/75

THE WHITE HOUSE  
WASHINGTON

*I concern with Cap*

THE WHITE HOUSE                      INFORMATION  
WASHINGTON

March 26, 1975

*RR7*

MEMORANDUM FOR:                      THE PRESIDENT  
FROM:                                      JIM CANNON *J.C.*  
SUBJECT:                                  Court Ordered Plan for Desegregating  
the Boston Schools

Last Friday the panel of special masters designated by Judge Garrity announced their desegregation plan for the city of Boston. Secretary Weinberger prepared for your information the attached memorandum concerning the provisions of that plan.

In essence, the plan calls for the establishment of nine (9) community school districts within the city. All elementary and middle school students would be required to attend the elementary or middle school in the district in which they reside. All high school students would be required to attend the high school in the district in which they reside, with two exceptions:

1. Students would retain the right to attend "city-wide" high schools offering special emphasis curriculums; and
2. For the 1975-76 school year all students enrolling in the ninth grade in the Roxbury, Charleston, East Boston and South Boston districts would be assigned to a central school facility outside of the district. This would be a one-year aberration, and these students would be enrolled in their home districts for the tenth and succeeding grades.

Thus, the racial composition of all elementary and middle schools, and ultimately all high schools, would approximate that of the district in which each school is located.

This plan has yet to be accepted by Judge Garrity; therefore, Administration comment on its merits should be avoided.

Attachment



THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE  
WASHINGTON, D. C. 20201

March 20, 1975

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Court Ordered Plan for Desegregating the Boston  
Schools

The special masters designated by Judge Garrity to prepare a desegregation plan for the City of Boston intend to release publicly their plan at a press conference in Boston on Friday, March 21. Inasmuch as the White House, as well as this Department, will undoubtedly receive inquiries from the press regarding the plan, I thought you should be aware of its general features before its release.

You may recall that after the First Circuit affirmed that Boston schools were segregated in violation of the Constitution, Judge Garrity on October 31, 1974, ordered the Boston School Committee to develop a plan that would "provide for the greatest possible degree of actual desegregation of all grades in all schools in all parts of the city." The court further required that "the defendants shall utilize as a starting point and keep in mind the goal that the racial composition of the student body of every school should generally reflect the ratios of white and black students enrolled at that grade level of schools, elementary, intermediate and secondary, throughout the system." Although both the defendants and the plaintiffs have prepared plans to meet the specifications of this order, the court subsequently designated a panel of outside consultants as "special masters" to develop an alternative plan. The panel consists of Edward McCormack, a nephew of former House Speaker John McCormack, Judge Spiegel, Massachusetts Supreme Court, retired, Francis Keppel, former U.S. Commissioner of Education, and Charles Willy, a Harvard professor. The executive director for the staff work of the panel has been Robert Dentler, Dean of the School of Education at the University of Boston.

On Tuesday two members of my staff met with the special masters in Boston. The special masters are clearly concerned that the elements of their plan be understood at the White House and in this Department in order that any public reaction by either of us is fully informed. Their hope, of course, is that we will be supportive.

The special masters also expressed their concern that this Department provide technical and financial support to the Boston school system in implementing the desegregation plan. We are presently exploring means for furnishing such support.

The essential elements of the plan of the special masters are as follows:

1. The city will be divided into nine "community school districts", each covering a compact, contiguous area. The student population residing in each district will range from 5% black and 10% "other minority" in East Boston to 50% black and 25% "other minority" in the Burke District. The system-wide percentages of blacks and "other minorities" are 35% and 15%, respectively.

2. All students will attend elementary and middle schools in their "community district". One high school in each district will be designated as the "community" high school. Students will be assigned to that, unless they choose to attend one of a number of "city-wide enrollment" schools, each of which will have a special emphasis in its curriculum.

3. Special provision will be made for community participation in the governance and use of the "community" high school. Each of the high schools, whether a community high school or a special purpose high school, will have an established on-going relationship with an institution of higher education in the Boston area.

4. The racial composition of each elementary and middle school will approximate the racial composition of the community district in which it is located.

5. For the 1975-76 school year all students enrolling in the ninth grade, i.e., the freshman high school grade, in the Roxbury, Charleston, East Boston and South Boston districts will be assigned to a central school facility outside of their districts. These four districts are the ones in which racial disproportion is severe, desegregation is difficult, and feelings run high. It is hoped that the special program for these ninth graders will facilitate further desegregation in each of their four districts. These students would be enrolled in their "home" districts or in one of the special program schools for the tenth and succeeding grades.

6. The special masters estimate that approximately 17,000 students are now being bused, while only 10,000 or 15,000 would be bused under the new proposal. In addition, the average time spent in transit would be reduced. No bus trip within a community school district would exceed 4.2 miles. The average for all students bused would be 1.8 miles. Boston does not bus high-school students; with the exception of the ninth graders referred to above, no student--high-school or elementary--will be compelled to attend a school outside his community district.

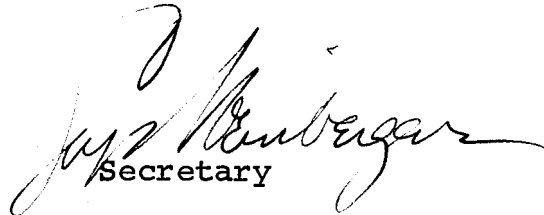
Technically, the proposed desegregation plan may not meet the requirements of Judge Garrity's October order. This does not present this Department a legal problem with respect to our programs inasmuch as approval of the plan will, in effect, constitute a modification of the earlier order. We do not know whether plaintiffs would appeal the proposed plan if adopted by Judge Garrity.

The special masters clearly are as concerned about the quality of education as they are about the desegregation process. Presently, the quality is poor and the system is badly administered. The special masters hope that an important by-product of the desegregation process will be to establish for the first time in many years an effective administrative structure.

I think it would be inappropriate for the Administration to comment upon the merits of this desegregation plan before Judge Garrity rules upon it. He is giving each of the parties to the lawsuit an opportunity to file objections and then will hold a hearing on the relative merits of the special masters' plan and the other plans that have been submitted. If the Judge ultimately adopts the special masters' plan, as seems likely, I would plan to issue a supportive statement at that time.

I am attaching a draft of a press statement which I propose to use if asked to comment on the plan of the special masters prior to the Judge's ruling.

If you have any problems with this, please let me know.

  
Secretary

Attachment

STATEMENT OF SECRETARY WEINBERGER RE BOSTON DESEGREGATION  
PLAN OF THE UNITED STATES DISTRICT COURT SPECIAL MASTERS

Although I have not had an opportunity to review in detail the desegregation plan that has been prepared by the special masters appointed by the United States District Court in Boston, it is clear to me that they have performed their assigned tasks in a highly responsible manner -- with care, diligence, and sensitivity to the problems of the Boston community. I have no doubt that their work will contribute significantly to the order ultimately entered by Judge Garrity. I also have every hope that, whatever plan is ultimately approved by the court, it will not only effectively accomplish the desegregation of Boston's schools but will also enhance the quality of education in the city. This Department stands ready to help Boston in any way it can to accomplish these twin goals.



THE WHITE HOUSE  
WASHINGTON

March 29, 1975

MEMORANDUM FOR:

JIM CANNON

FROM:

JERRY JONES 

SUBJECT:

Court Ordered Plan for Desegre-  
gating the Boston Schools

The President has reviewed your memo of March 26th on the above subject and has made the following notation:

-- I concur with Cap.

Please follow up with the appropriate action.

Thank you.

cc: Don Rumsfeld