



# A Brief History of Efforts To Desegregate the Los Angeles Unified School District

Stephanie Clayton

*Claremont Graduate University*

**Claremont Graduate University**  
*Learning in L.A. Project*  
Charles Taylor Kerchner, Project Director  
© 2008





## Table of Contents

<b>Two Major Trends</b> .....	4
<b>About this Analysis</b> .....	4
<b>The Fight Starts</b> .....	6
<b>The ACLU and Corporal Punishment</b> .....	8
Out of Court Preferences.....	9
The Initial Lawsuit.....	10
The Trail Starts .....	10
<b>A Contested Victory</b> .....	11
<b>State Supreme Court Decision</b> .....	13
<b>A New Plan</b> .....	15
Anti-Busing Success.....	16
A Surprise from the Supreme Court .....	18
<b>The End of the Integration Movement</b> .....	19
<b>Bibliography</b> .....	20

# A Brief History of Efforts to Desegregate the Los Angeles Unified School District

*A brief introduction to the motivation and processes behind this paper*

When the 50<sup>th</sup> anniversary of the *Brown* decision was celebrated and evaluated in articles and editorials throughout the country, I was asked to research secondary sources on the Los Angeles Unified School District desegregation case. The research was for an education book that would analyze the affects of two major school reforms of the 1990s and we only needed a synopsis of the *Crawford* case and how it impacted the school district. My colleagues and I had expected my search to be relatively quick considering the major works written about desegregation in Northern cities like Boston and Chicago. To our surprise, my search quickly morphed from a quick check at the university library to a month's long search for newspaper clippings and primary sources.

I cannot say that the struggle for desegregation in Los Angeles Unified School District is inherently different from such efforts in other cities facing similar allegations of *de facto* segregation. I can say however, that Los Angeles has done a shameful job of keeping this history alive and making it part of the shared experience of Angelinos. Perhaps the ugliness in the courts and on the streets has made most citizens desire to keep the battle a thing of the past. It is possible that many who do know about it, see it as a defeat and a precursor to the riots of 1965 and 1992. While I understand the very real human need to sweep such matters under the rug in the face of the breakdown of the liberal coalition, I believe that the *Crawford* case illustrates two major trends in California politics and needs to be discussed.



## Two Major Trends

The first trend has to do with the rise of grassroots politics in California and its singularly racist bent. The same factions that fought for and against the Rumford Fair Housing Act of 1963 were the same ones who fought in the *Crawford* case. Many of the organizers of BUSTOP, its name says it all, were lead organizers in the fight for Proposition 13, California's cap on local property taxes and the stripping away of local school districts' taxing abilities. Despite California's claims of racial harmony in the 1950s and early 1960s, white Californians knew that this "tranquility" was based upon set boundaries and unequal funding of minority municipal services.

The second trend that the *Crawford* case presaged was the politicalization of the school board. The politics and function of a school board member changed drastically from 1950 to 1980. Before the *Crawford* case, the term liberal when applied to a school board member meant that he or she support UNESCO and progressive education policies. To be conservative was to be against foreign interference in public schools and to be for a return to the "three R's." The struggle in the boardroom and the courts over desegregation shifted the emphasis of a school board candidate's politics from education policies to nationwide politics of Democrats and Republicans. School board members and candidates were increasingly politicized during debates over bussing and while earlier boards had consisted of people serving out of a sense of duty to their city, the members and candidates of the 1970s and 1980s were clearly trying to promote their own political agenda. Campaigns were no longer about a candidate's standing in the public or take on education, but about their politics and how they felt about bussing or integration.

## About this Analysis

First, I sought general texts on *de facto* segregation cases. I found that there are many texts regarding school desegregation in general that evaluate the movement and its success. Two texts written in the last decade were especially relevant to my topic. The first, *The Irony of Desegregation Law*, is the most in-depth. Written in 1997, it obviously does not address the most recent court cases, but it is a good reference for important court cases and national desegregation trends. The second text was written in 2002 and is also a critique of court cases. *Equal Educational Opportunity: Brown's Elusive Mandate* gives a briefer history of desegregation law, but it also delves into the broader context of the situation by bringing into the discussion government leaders and different forms of desegregation plans.<sup>1</sup>

---

<sup>1</sup> Whitman, *The Irony of Desegregation Law, 1955-1995* and Ehrlander, *Equal Educational Opportunity: Brown's Elusive Mandate*.

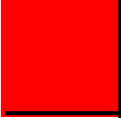
The most recent trend in desegregation research, however, has been the analysis of its success or its failure. Most authors would agree that the flight of the middle-class, mainly white residents, to surrounding suburbs has caused the failure of desegregation. While past mandates for desegregation were based on the assumption that schools would improve when they were integrated, contemporary scholars have to deal with the fact that there are no longer populations of whites in urban areas with which to use for desegregation plans. This has shifted the focus from busing to greater resource spending on segregated schools. For the best discussion of all of these issues see Gary Orfield's *Dismantling Desegregation: the Quiet Reversal of Brown v. Board of Education*.<sup>2</sup> This text includes helpful statistics and clear, logical arguments against overt or circumstantial resegregation.

It was easy to find articles and texts from the 1950s and 1960s, which argue for or against the Supreme Court's decisions and the oversight of desegregation by federal courts. What is difficult is finding works on specific sites or issues that are not commonly linked with desegregation. The two that are pertinent here are Los Angeles and non-black minorities.

Often these two themes come together. These studies recognize the uniqueness of Los Angeles School District's and their attempt to bring a three or four-dimensional picture to the story. For discussions regarding early Hispanic desegregation issues see Professor John Caughey, *To Kill A Child's Spirit* and Haro, *Mexicano/Chicano Concerns and School Desegregation in Los Angeles*. The former was written in 1973 and was one of the first arguments for the desegregation of the Los Angeles Unified School District. Haro is the first exploration of the needs and views of Hispanics. There is also an excellent discussion on the African American movement and the Hispanic movement that showcases the work of the Hispanic community. Gutierrez explains in "Racial Politics in Los Angeles" how schisms between these

---

<sup>2</sup> Fife, *School Desegregation in the Twenty-first Century: the Focus Must Change* proposes combating residential segregation lies in the metropolitan plan, or changing district lines to include white suburbs in order to gain population equity. Rivkin, "School Desegregation, Academic Achievement, and Earnings." For a different opinion see Renwick who contends in "Busing Rolls to a Stop" that the chief obstacles to desegregation are conservative judges who do not wish to impose innovative changes on districts that are highly segregated. Eaton and Orfield, eds. *Dismantling Desegregation: the Quiet Reversal of Brown v. Board of Education*. Orfield's other works may also be helpful, esp. *The Closing Door: Conservative Policy and Black Opportunity* and "Lessons of the Los Angeles Desegregation Case." For a more current discussion of segregation in California see Houston, Ong, and Rickles, "The Integrating (and Segregating) Effect of Charter, Magnet and Traditional Schools: The Case of Five California Metropolitan Areas."



two groups divided what would have been a strong desegregation movement into two weaker opponents of the LAUSD.<sup>3</sup>

## The Fight Starts

The nearly three-decade fight for integration in Los Angeles city schools started as quietly as it would end. For Elnora Crowder, the 1963 journey to Watts to find a plaintiff was surprisingly difficult. “She went house to house like ‘an Avon lady,’ ringing doorbells.” When she found a willing high school student she went into action quickly. “I put Mary Ellen in my car and raced downtown to the law office, where we signed the complaint,” Crowder said.” Crowder, a teacher, was acting on behalf of the NAACP when she convinced Mary Ellen Crawford and her family to sign the complaint that began the twenty-six year long struggle against segregation.<sup>4</sup>

Unfortunately for those children that Crowder questioned in 1963, not much was ever done to assist them. The school board, and by extension the district, staunchly denied that segregation even existed. It took many years and the threat of a lawsuit to even bring them around to the view that segregation may be present in the district. Yet the school board steadfastly denied that they were either responsible for the condition or had any power to alleviate it. Despite various committees and recommendations for voluntary integration, the Los Angeles Unified School District (LAUSD) was still heavily segregated in 1968 when the plaintiffs for *Crawford v*

---

<sup>3</sup> Caughey and Caughey, *To Kill a Child's Spirit; the Tragedy of School Segregation in Los Angeles*; Haro, *Mexicano/Chicano Concerns and School Desegregation in Los Angeles*; and Gutierrez, "Racial Politics in Los Angeles: Black and Mexican American Challenges to Unequal Education in the 1960s" and also see his 1990 dissertation "The Chicano Education Rights Movement and School Desegregation, Los Angeles, 1962-1970." For a more recent historical perspective on Hispanic segregation pre-WWII see Haas, *Conquests and Historical Identities in California*. Baez explores similar problems in Milwaukee schools in *Desegregation and Hispanic Students*. Cooper's dissertation, "The Controversy over Desegregation in the Los Angeles Unified School District," may be of some use and for a legal history see Jacobs, "The Los Angeles Unified School District's Desegregation Case: A Legal History" and Chapter 13 of Irons, *Jim Crow's Children*. For residential trends see Massey, "Trends in the Residential Segregation of Black, Hispanics, and Asians: 1970-1980."

<sup>4</sup> Carol McGraw, "Integration Fight - No Victor Seen." *Los Angeles Times* (April 6 1989) 1-1.

*Board of Education of the City of Los Angeles* finally decided to take the district to trial.<sup>5</sup>

Desegregation in the state of California had a long history prior to the Civil Rights Era. The California Education Code in 1870 stated that California schools must be “open for the admission of all White children...the education of children of African descent, and Indian children, shall be provided for in separate schools.” This was upheld in the 1874 case, *Ward v. Flood* when the State Supreme Court ruled that students of different races could be educated separately as long as they were educated “on equal terms.” Six years later, the Education Code was rewritten to make all schools “open for the admission of all children...residing in the district” to mitigate against the high costs of maintaining separate schools for African Americans. This practical allowance of integration in the state was soon followed by the national 1896 “separate but equal” decision of the U.S. Supreme Court in *Plessy v. Ferguson*.<sup>6</sup>

In 1931, the first successful school desegregation case in the United States, *Alvarez v. Lemon Grove School District*, was decided in California and involved the segregation of Mexican and Mexican American children. This decision was followed by various other cases such as 1938’s *Gains v. Canada*, which upheld the *Plessy v. Ferguson* decision with regards to education. The real chink in the armor of “separate but equal” came in the wake of World War II when minorities were anxious to receive the freedoms for which they had personally fought. This was exemplified in the second successful desegregation suit, *Westminster School District of Orange County et al. v. Mendez et al.* The U.S. Ninth Circuit Court upheld the lower court decision in 1947, which found that desegregation violated the 14<sup>th</sup> Amendment. This led to the legislative repeal of educational segregation laws in the state of California.<sup>7</sup>

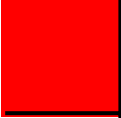
The subsequent compliance by the Orange County school boards and the state in fact had an adverse affect on desegregation efforts. *Mendez* had raised expectations among its plaintiffs and even nationally that it would be the test case for integrationists to take to the U.S. Supreme Court. Acquiescence on the part of the defendant had the effect of “dashing the heightened expectations” of the participants and civil rights activists nationally. Instead, Thurgood Marshall had to

---

<sup>5</sup> The district correctly attributed segregated school to restrictive real estate covenants in Los Angeles, however they refused to take any reasonable steps within their power to mitigate these circumstances; Vicki L. Ruiz, "We Always Tell Our Children They Are Americans:' *Mendez v. Westminster* and the California Road to *Brown v. Board of Education*," *The College Board Review* (200, Fall 2003), 22.

<sup>6</sup> UCLA/IDEA pamphlet; Ettinger, 55; UCLA/IDEA pamphlet

<sup>7</sup> Ruiz, 26-27



wait for *Brown v Board of Education of Topeka* to come along for him to argue against segregation and win before the U.S. Supreme Court.

*Brown* was the next case that affected desegregation efforts in California. While the U.S. Supreme Court had ruled in *Brown* that it was the responsibility of the school board to alleviate the affects of *de jure* segregation in a district, they did not clearly state what liability the school board had in regards to *de facto* segregation. Instead, in 1963 the California courts took that issue on when they ruled in the case of *Jackson v. Pasadena City School District* that school boards must desegregate schools by reasonably feasible steps whether *de jure* or *de facto* under state law. This precedent meant that the California constitution was stricter in terms of desegregation law than the Federal Constitution and that state districts could be held to higher standards in state courts than in Federal courts.<sup>8</sup>

### The ACLU and Corporal Punishment

The fight for desegregation in Los Angeles had begun in 1962 with the ACLU investigation into discrimination against African American children. This inquiry was touched off by complaints by African American parents against the LAUSD's corporal punishment policy. While state law mandated that such actions be recorded and data compiled, the ACLU investigators found that the district had never kept such records. As they were conducting their own research into the frequency and possible disparities in the administration of corporal punishment, the ACLU found that indeed African American children were punished at greater rates and that in addition they were subjected to segregated schools. As a result of this finding, the ACLU decided to pursue integration in the Los Angeles Unified School District.<sup>9</sup>

The ACLU and other community groups and members who advocated integration had hoped to achieve it through non-judicial means. On June 7, 1962 the ACLU presented their case for integration to the Los Angeles City Board of Education. They cited the Los Angeles case as one of *de facto* not *de jure* segregation. In response the board voted to create a board committee to investigate and make recommendations. The members of this Ad Hoc Committee on Equal Educational Opportunity were board members Georgiana Hardy, Arthur Gardner and Hugh C.

---

<sup>8</sup> Haro, 21; Ettinger, 56

<sup>9</sup> John Walton Caughey and LaRee Caughey, *To Kill a Child's Spirit; the Tragedy of School Segregation in Los Angeles*, (Itasca: F. E. Peacock Publishers, 1973), 17; John Walton Caughey and LaRee Caughey, *School Segregation On Our Doorstep*, (Los Angeles: Quail Books, 1966) 3-15; and Donald Glenn Cooper, "The Controversy Over Desegregation in the Los Angeles Unified School District, 1962-1981," (Dissertation, University of Southern California, 1991), 34-36.



Willet. After a series of meetings and deliberations, the committee made the following four recommendations to the board: 1) the creation of a board committee to work for equal educational opportunity; 2) a new staff position in human relations and compensatory education; 3) expansion of compensatory education; and 4) attention to state regulations concerning segregation and that ethnic consequences be taken into account when determining attendance areas. John Caughey, a UCLA history professor and integration advocate, asserts that after the acceptance of these resolutions the desegregation forces were diverted for a time by the fight over housing desegregation laws at the state level and so were not able to ensure that these recommendations were carried out.<sup>10</sup>

### **Out of Court Preferences**

Even though the ACLU filed the lawsuit, *Crawford v Board of Education of the City of Los Angeles*, in 1963, they had originally preferred to work with the school board to get the recommendations of the board's Ad Hoc Committee on Equal Educational Opportunity implemented. Instead of encountering a school board that was completely against or completely for integration they were confronted by a board that moved away and towards integration by turns. Certainly there were board members who were adamantly against integration or the recognition of the existence of segregation, but for the most part the board was adept at issuing proclamations and platitudes regarding ethnic balance or integrative experiences while successfully barring any effective programs that would lead to actual desegregation. This pattern of passive resistance by the school board was to be found in relationship to later educational reforms.<sup>11</sup>

During the period between the initial filing of *Crawford* and the beginning of the trial, a few things happened around the fringes of the integration movement. Transport a Child and Parents for Better Educational Exchange, which were organizations created in 1965 to implement voluntary exchanges of white and minority children, reached about 4-8% of students in some select schools. That same year the Watts riots effectively demonstrated the consequences of a segregated society. At the behest of the state board of education, LAUSD compiled their first racial census in 1967. The LAUSD also received and used Title I funds to create a planning team that surveyed demographic trends in order to assess the impact of specially funded programs and also analyzed approaches to integration.<sup>12</sup>

---

<sup>10</sup> Cooper, 36 and Caughey, *To Kill*, 17, 24 and 25

<sup>11</sup> United States Commission on Civil Rights, *A Generation Deprived: Los Angeles School Desegregation*. (Washington DC: United States Congress, 1977), 7.

<sup>12</sup> Yet true to form, the census data went unprocessed by the district. Caughey, *To Kill*, 36.



## The Initial Lawsuit

On the integration front, a few things changed over this period. The ACLU's initial lawsuit had been to integrate two segregated high schools that were in close proximity to each other in the hopes that this would lead to the changing of policies district wide. In 1966, they came to the realization that their narrow focus would not accomplish their goals and that the district needed another reminder of the ACLU recourse to the courts. On June 6<sup>th</sup>, they amended their complaint to require the desegregation of the whole district. This action did not have the desired affect. The school board continued to mouth the appropriate clichés while continuing to refuse to adopt any substantial changes. In 1967, the Title I funded inspection team submitted its report to the district. The ACLU waited, if not patiently, for Superintendent Jack Crowther's plan based upon these findings.<sup>13</sup>

The presentation of Superintendent Crowther's master plan for integration in early 1968 was not the long expected solution to segregation that the integrationists had hoped for. His plan included limited voluntary-busing of minority students who wanted to transfer to white schools along with other similarly half-hearted "integration" programs that mainly placed the burden of desegregation on minorities or were token "integrative experiences." These experiences were relegated to classroom exchange visits, day camps, a three-day leadership seminar, and athletic meets. This, in Crowther's, opinion would insure that "parents...have the prerogative of determining whether their children will participate in any program which has integration as a primary thrust and which takes the child away from the home school." This attitude towards integration seemed to have been the last straw for the ACLU, who brought the *Crawford* suit to litigation later that year.<sup>14</sup>

## The Trail Starts

The trial started on October 28, 1968 and began with the plaintiffs' argument that voluntary busing and integrative experiences were ineffectual at best. They reminded the court that according to the 1963 *Jackson v. Pasadena City School District* decision even the existence of *de facto* segregation obligated the district to seek remedies. Superior Court Judge Gitelson, to the contrary, recommended that the plaintiffs change their complaint from *de facto* to *de jure* when he saw evidence that the creation of school boundaries and new construction decisions were clearly based on race. The plaintiffs accepted this suggestion and skillfully argued this

---

<sup>13</sup> These schools were Jordon and South Gate High Schools. Cooper, 40-41; United States Commission on Civil Rights, 7; and Cooper, 266.

<sup>14</sup> Jack McCurdy, "Limited, Voluntary Bussing Proposed for City Schools," *Los Angeles Times*, (February 27 1968), 1-1 and Cooper, 41-43;

point adding that the board's refusal to remedy segregation once they had been notified of its existence in 1962 was further proof of *de jure* segregation.<sup>15</sup>

The real difficulty of the trial lay in the defendant's refusal to expedite the trial in any way. The school board refused to accept the findings of *Brown* in regards to the effects of segregation on minority children and when Judge Gitelson offered them a recess to reflect on state desegregation law, clearly a warning sign, they declined the recommendation. The defendant countered that the segregation of the district's schools was a result of housing preferences and therefore out of the board's control. However, even if the board could alleviate segregation, the lawyers for the defense argued, integration would not be beneficial to minorities, whose intellectual equality with whites was put into question by the defendant, and it would most certainly injure the education of whites.<sup>16</sup>

Judge Gitelson rejected the defense's arguments outright by ordering the integration of the school district in his judgment issued February 11, 1970. He found that the school board had indeed been responsible, through boundary creation and school construction decisions, for the creation and maintenance of school segregation in Los Angeles Unified School District. The *Los Angeles Times* rightly exclaimed that the ruling was one of the most "significant court decisions on racial segregation outside of the South." Gitelson had thrust the LAUSD directly into the debate over *de facto* and *de jure* school segregation. It remained to be seen whether his interpretation of *de jure* would hold up in higher courts.<sup>17</sup>

## A Contested Victory

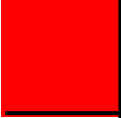
While for many pro-integrationists Judge Gitelson's order looked like a victory, the school board and anti-busing groups refused to concede defeat. Labeling Gitelson as the "busing judge," anti-busing groups successfully defeated his reelection campaign, thus sending a clear warning to all elected officials. The school board itself was a body of elected officials and their subsequent actions largely reflected this fact. They appealed the case to the California Court of Appeals, another elected body, who then held the case for five years. Ostensibly waiting for decisions in higher courts, the Court of Appeals gave anti-integrationists much needed breathing

---

<sup>15</sup> The trial precipitated a flurry of legislation for the break up of the school district both locally and in Sacramento. Caughey, *To Kill*, 66-67.

<sup>16</sup> United States Commission on Civil Rights, 8 and Caughey, *To Kill*, 116-119.

<sup>17</sup> Caughey, *To Kill*, 137; Jack McCurdy, "Court Orders L.A. School Integration," *Los Angeles Times* (February 12 1970), 1-1; and David S. Ettinger, "The Quest to Desegregate Los Angeles Schools," *Los Angeles Lawyer* (March 2003), 57.



room to further entrench their anti-busing agenda in the school board through subsequent elections.<sup>18</sup>

Soon after the school board filed its appeal, the U.S. Department of Health, Education and Welfare released some rather shocking data. According to their report, the Los Angeles Unified School District was the most segregated district in the entire country as of 1971. In a move, almost in direct opposition to this finding, the board started to reorganize the district along decentralized lines. These new "subdistricts" were intended to increase neighborhood control, but were based on the segregated neighborhoods created by decades of covenant restrictions. While Caughey accused them of masking anti-integration behind the creation of subdistricts, later scholars have uncovered other motives for the board's actions.<sup>19</sup>

These motives were not in conflict with the desires of minority parents, but were in accordance to the changing demands of these groups. Donald Cooper in his Ph.D. dissertation, "The Controversy Over Desegregation in the Los Angeles Unified School District, 1962-1981," describes the centralization of the school district in the early 1960s as creating an "impersonal, massive, administrative bureaucracy," which was unresponsive to individuals and local communities. When the mainstream minority advocacy groups, such as the ACLU and the NAACP, were unable to bring LAUSD into compliance with state desegregation laws, many in the community saw this failure as a sign that the board was not the avenue for attaining their goals of equal education. Instead, organizations such as the United Parents Council began to advocate for local control. This was also a period when legislation for the break up of LAUSD had become very popular in Sacramento. Therefore, the board's creation of the administrative areas A through L was in response to both pressures from the state government and the growing demand for local accountability by minority communities not just a desire to further segregate the district.<sup>20</sup>

Gayle Hopkins, in her 1978 dissertation, "School Integration in the Los Angeles Unified School District and the Involvement of the Black Community," asserts that minority involvement in integration was very limited. She notes that minority communities, for the most part, were never consulted on integration plans. This may

---

<sup>18</sup> Orfield would later describe the match up of the LAUSD versus ACLU as absurdly lopsided in terms of monetary resources, Gary Orfield, "Lessons of the Los Angeles Desegregation Case," *Education and Urban Society* (16, May 1984), 342 and William Endicott, "Gitelson Blames Racists for Defeat," *Los Angeles Times* (November 5 1970), 1-1.

<sup>19</sup> Despite this ruling, HEW continued to grant desegregation moneys and the state continued to distribute these monies to LAUSD. United States Commission on Civil Rights, 8; and John Caughey, "Decentralization or Integration in Los Angeles?" *Integrated Education: Race and Schools* (52, July-August 1971), 43-44

<sup>20</sup> Cooper, 62; 266; 66; and 76

have contributed to the call for decentralization and locally run schools by these communities. Other scholars such as Gary Orfield and Donald Cooper have observed that the concerns of LAUSD's minority groups were not always the same. The Hispanic and Asian communities were clearly more concerned with the negative affects that mandatory busing could have on bilingual and bicultural programs already established in their local schools. Still others were concerned that the integration programs could detract from the creation of badly needed bilingual programs for the tens of thousands of NES/LES students who were not receiving instruction. By the end of the 1970s, even members of the African American community, were openly voicing their doubts. One such member was Aaron Wade, superintendent of Compton School District, who questioned the effectiveness and the necessity of integration in a 1979 interview.<sup>21</sup>

This doubt in desegregation stemmed from the bickering over an integration plan that followed the five-year interim between Judge Gitelson's decision and that of the Court of Appeals. The appellate court effectively reversed the *Crawford* decision by denying the existence of *de jure* segregation in the LAUSD and by extension the board's obligation to integrate. This 1975 decision, according to David Ettinger (a former legal researcher on the *Crawford* case for the ACLU), was based on federal guidelines for ordering desegregation. After the appellate court denied the ACLU a rehearing, they took their case to the state Supreme Court. There, they argued that the defendant had been found guilty under state desegregation laws, which were more stringent than federal laws.<sup>22</sup>

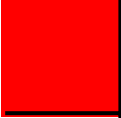
## State Supreme Court Decision

The state Supreme Court's ruling was a mixed decision. In 1976, it ruled that the appellate court was correct in labeling segregation in Los Angeles as *de facto*, but it did not agree that the district was not obliged to alleviate it. Citing state law, the court sided with integrationists and ordered the school board to create and implement desegregation plans under supervision of the trial court. The court also changed the terms of desegregation from a set formula derived by the state to a vague condition that the district would undertake "reasonable and feasible steps to

---

<sup>21</sup> Gayle Hopkins, "School Integration in the Los Angeles Unified School District and the Involvement of the Black Community," Ph.D. dissertation (Claremont Graduate University, 1978); Frank del Olmo, "Latins Hit School Integration Plan," *Los Angeles Times* (February 10 1977), 2-1; Orfield, 344-345; United States Commission on Civil Rights, 107; Cooper, 183; and William Trombley, "Metro School Busing Issue Sparks Storm of Outrage," *Los Angeles Times* (January 21 1979), 1-1.

<sup>22</sup> Jack McCurdy, "Court Reverses L.A. Desegregation Order," *Los Angeles Times* (March 11 1975), 1-1; Staff, "Ruling Based on Gitelson Order for L.A. to Integrate," *Los Angeles Times* (June 29 1976), 1-3; and Ettinger, 57.



alleviate harms of segregation.” This ruling was therefore both a reaffirmation of the board’s duty to integrate and a substantial shift in the ground rules for carrying out this task.<sup>23</sup>

During this time two programs that would change LAUSD began. While both were ostensibly implemented as integration programs, their affects on the district were decidedly different. The first program was in reality an odd one in light of the community’s and the board’s adamant opposition to busing. Called Permits With Transfers (PWT), this voluntary busing program shipped minority students out of their increasingly overcrowded and run-down schools to outlying white schools in order to bolster the dwindling enrollment in these areas. The other program also involved busing and was also voluntary. Magnet schools were created to draw students of different ethnicities and races to the same campus by offering special educational opportunities. The district hoped that PWT would decrease the need to build new schools in minority areas, which they were barred from doing by Gitelson’s 1970 order, and they hoped that magnet schools would help slow white flight.<sup>24</sup>

In an effort to create the required desegregation plan ordered by the courts, the board created two entities. One was the Student Integration Resource Office (SIRO) which, according to Cooper, was grossly under funded and under staffed. The other organization, the Citizen’s Advisory Committee on Student Integration (CACSI) was created to advise the board and, though the board later denied it, create an integration plan. While many accused the board of forming this group in order to avoid complying with the court, CACSI was surprisingly successful. Their work was accomplished without support from the board or the district, with the exception of SIRO, and with a great deal of opposition from the various communities.<sup>25</sup>

After months of deliberation, CACSI submitted their recommendations in January of 1977. Their report was relatively “sophisticated” and outlined a “meaningful student integration plan.” This effort was summarily dismissed by the board, which then claimed that it had never asked CACSI to develop a plan of its own. The board then quickly created what was to be known as “Concept A” to meet the submission deadline. This plan was almost the opposite of the CACSI plan in that it extended

---

<sup>23</sup> Jack McCurdy, "State High Court Orders L.A. to Integrate Schools," *Los Angeles Times* (June 29 1976), 1-3 and United States Commission on Civil Rights, 9-10.

<sup>24</sup> Orfield, 348 and Cooper, 154.

<sup>25</sup> Cooper, 95; 101; and United States Commission on Civil Rights, 23-25.

magnet schools and PWT and only recommended part-time, voluntary integration programs.<sup>26</sup>

Members of the community and CACSI were understandably disappointed in the board's integration plan. John Mack, member of CACSI and executive director of the Urban League, called the plan "a politically motivated sham." The U.S. Civil Rights Commission was also disparaging of the plan and ridiculed the board's attempt to alleviate segregation by calling its main program a "multiethnic part-time class for 9 weeks a year." The trial for this plan began in March of 1977 and as these comments reveal, the power struggle was heated and protracted. The anti-busing group soon joined the fray over the plan. Bobbi Fiedler, the originator of BUSTOP and a newly elected school board member, leveled a veiled threat at the presiding judge, Judge Paul Egly, by advising him to accept the board's plan or something along its lines, because the public opposed mandatory busing. This was an allusion to Judge Gitelson's ignominious defeat in the polls after he was labeled the "busing judge" for his 1970 *Crawford* decision.<sup>27</sup>

## A New Plan

Despite all of the skirmishing in the courtroom and in the press, the U.S. Civil Rights Commission found the plan to be out right unconstitutional and Judge Egly agreed. He ordered the board to create and submit a new plan in the summer of 1977 ensuring that desegregation would have to wait another school year. Three months later, the board submitted a modified plan (Plan II or Concept L) that still emphasized voluntary integration, but did include mandatory busing. Egly grudgingly accepted this plan because it would mean that integration would in actual fact begin and because he had no wish to drive the anti-busing/anti-integrationists to the adversarial Court of Appeals. However, he did stipulate that a court appointed panel of experts would review Concept L and that the court could order changes it saw as necessary. This decision signaled the beginning of mandatory busing that would begin with the 1978-79 school year.<sup>28</sup>

Busing opponents were undeterred. The board itself actually made changes that "sabotaged the effectiveness of the plan in achieving its desegregation objectives."

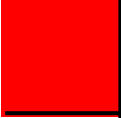
---

<sup>26</sup> Cooper, 94; United States Commission on Civil Rights, 220-221; 38; and Cooper, 111.

<sup>27</sup> United States Commission on Civil Rights, 40; 65; Cooper, 118; and William Trombley, "Egly Accuses School Board of Stalling, 'Using' Court," *Los Angeles Times* (June 3 1977), 1-24.

<sup>28</sup> United States Commission on Civil Rights, 216; Watson, 138; 139; Myrna Oliver, "Egly Accepts School Plan as First Step," *Los Angeles Times* (February 8 1978); and Watson, 141.





They and their supporters then asked and were granted on August 31, 1978 a stay of implementation from the appellate court. The NAACP took this to the state Supreme Court, which overturned the stay on September 6, 1978, six days before school was scheduled to start. Reaction by the anti-busing community was so fierce that one leader actually referred to the state Supreme Court as “those rotten s.o.b.s.” Busing opponents, namely BUSTOP, then appealed to the U.S. Supreme Court, but were denied a trial because the state courts’ decisions were based on state, not federal law.<sup>29</sup>

The day of mandatory busing did not fulfill the dire predictions of anti-busing representatives. Concept L involved only 15% of the district’s 567,260 students and only a third of these students were in the mandatory busing program. At the end of the day it was estimated that 17,700 students had failed to show up. There were some pickets, but there were no major disturbances. As for the logistics of the massive plan: many buses got lost, were practically empty, or arrived late. The first day was calm yet auspicious.<sup>30</sup>

A couple of months after Concept L was implemented, the panel of experts submitted their reports to the court. All of them found the plan to be insufficient to accomplish the enormous task of integrating LAUSD. They recommended “extensive modifications,” disparaged the PWT program, and brought up the subject of metropolitan busing to compensate for the diminishing population of white students. The latter recommendation was hailed in the *Los Angeles Times* as “the most unpopular idea to hit southern California since the Diamond Lane.” These recommendations, along with the actuality of mandatory busing, prompted anti-busing organizations to not only continue their fight in the courts, but to take it to the state at large.<sup>31</sup>

### **Anti-Busing Success**

The anti-busing groups, with support from the California legislature, scored a major coup in early 1979. They had drafted a constitutional amendment and were

---

<sup>29</sup> Cooper, 141; Watson, 143; Myrna Oliver, “Court Gives Green Light to L.A. Busing,” *Los Angeles Times* (September 7 1978), 1-3; Doyle McManus, “Antibusing Leaders Vow to Continue Fight; Proponents Jubilant,” *Los Angeles Times* (September 7 1978), 1-3; and Watson, 144

<sup>30</sup> Jack McCurdy, “L.A. Busing Starts Today; Leaders Urge Compliance,” *Los Angeles Times* (September 12 1978), 1-1; Alex Summers, “Angels in Purgatory: Los Angeles Waits Two Decisions on Mandatory Busing for Desegregation,” *Phi Delta Kappan* (60/10 June, 1979), 720; and William Trombley, “Officials Pleaded Despite Pickets, Transit Problems,” *Los Angeles Times* (September 12 1978), 1-1.

<sup>31</sup> Cooper, 200; 189; Orfield, 343; Cooper, 194; and Trombley, “Metro School Busing,” *Los Angeles Times*, 1/21/79.



successful in their attempts to get it moved up to the November 1979 election, which was a year before it had been originally scheduled. This amendment, Proposition 1, would align the state constitution with the 14<sup>th</sup> Amendment and therefore only require mandatory busing when a district had been found guilty of *de jure* segregation. As it currently stood, and as reflected in the state Supreme Court's 1976 ruling, the state constitution was more liberal in its call for treating *de facto* and *de jure* segregation equally.

In the meantime, Superintendent William Johnston presented his integration plan and his response to the expert panel's recommendations to the school board in February of 1979. He actually told the board that cutbacks in the plan were necessitated by the low participation of whites. He stated that their participation only amounted to 7% in some schools in a district where enrollment consisted of 30% white students. This, he said was a result of white flight and he feared that an expansion of the mandatory program would aggravate the situation. He was correct in his conclusion that mandatory busing had caused white students to flee. In 1991, Cooper found that the heaviest losses in white student enrollment were in schools that participated in the Pairs, Clusters and Midsites desegregation programs. With this validation of anti-busing predictions behind him, Johnston was able to convincingly call the expert panel's recommendations unrealistic.<sup>32</sup>


All of this debate over desegregation plans was soon to be proved moot. The November election came and Proposition 1 passed with 70% of the vote. Integration proponents and minority leaders called the proposition an "instrument of self-promotion" and many were dismayed at the overwhelming racist attitude of the state. Judge Egly believed that since Gitelson had found the district guilty of *de jure* segregation in 1970 the changes to the state constitution were inapplicable, so he continued to execute his duties in the case. Anti-busing groups thought otherwise and began to petition the court for the dismantling of the mandatory component of the desegregation order.<sup>33</sup>

When their motions failed in Egly's court, BUSTOP turned to the appellate court. Again the Court of Appeals was more than willing to undermine Egly's authority and that of Gitelson's by siding with anti-integration forces. They issued their decision in December of 1980, which found Proposition 1 applicable to the *Crawford* case and therefore invalidated mandatory busing. They were able to do this by declaring that Gitelson's finding of *de jure* segregation had not been sufficiently proven. The

---

<sup>32</sup> Jack McCurdy, "Schools Chief Asks Board Not to Expand Busing Plan," *Los Angeles Times* (February 21 1979), 1-8 and Cooper, 161.

<sup>33</sup> Ettinger, 62; John Dart, "Black Clergymen Hit Plan to Limit Busing," *Los Angeles Times* (March 17 1979), 1-30; and Watson, 163.



plaintiffs quickly petitioned for a rehearing and when that was denied, took their case to the state Supreme Court.<sup>34</sup>

### **A Surprise from the Supreme Court**

Previously a supporter of integration and both Judge Gitelson's and Judge Egly's orders, the state Supreme Court made a surprising decision in March of 1981. Every judge, besides Judge Rose Elizabeth Bird, refused to hear the case and therefore upheld the appellate court ruling. This touched off a flurry of action on both sides of the issue. The school board voted to bring an end to mandatory busing when students returned from the district's spring recess. And while they decided to continue the program until the end of the school year for those who wished to stay in it, they were resolute in their decision to discontinue the program in the fall. The teachers union (United Teachers-Los Angeles), the ACLU, and the NAACP all sought injunctions against this termination of mandatory busing. They were granted a stay in federal court, but the U.S. Ninth Circuit Court of Appeals quickly overturned this order.<sup>35</sup>

The decision of the state Supreme Court also caused significant changes at the lower court level. Judge Egly recused himself from the case because he felt that his work of the previous three years had been destroyed. The board was no longer required to bus students to achieve integration, but they were still responsible for easing the negative affects of segregation on their minority students. Egly's recusal therefore necessitated a search for another judge to oversee these efforts. In addition to the expectations that the district could be held to, the dramatic demographic changes in the City of Los Angeles between the early 1960s when the case began and 1981 made the idea of integrating the schools without busing laughable. The new effort to voluntarily alleviate segregation in the district was an exercise in futility. Despite this, the school board's all-voluntary plan was approved and implemented later that year.<sup>36</sup>

---

<sup>34</sup> Cooper, 236; Kevin Roderick, "Prop. 1 Upheld; Bars L.A. Busing," *Los Angeles Times* (December 12 1980), 1-1; Watson, 172 and 173.

<sup>35</sup> Larry Stammer, "Politicians and Educators Show Outrage, Celebrate," *Los Angeles Times* (March 13 1981), 1-6; Philip Hager, "High Court Stuns Friends and Foes Alike," *Los Angeles Times* (March 13 1981), 1-6; Gerald Faris and Kevin Roderick, "Parents Will Be Permitted Option on Pupil Transfers," *Los Angeles Times* (March 17 1981), 1-1; Watson, 175; and Kevin Roderick and Charles P. Wallace, "U.S. Appeals Court Lifts Busing Order," *Los Angeles Times* (April 19 1981), 1-1.

<sup>36</sup> William Trombley, "Egly Taking Himself Off Schools Case," *Los Angeles Times* (March 15 1981), 1-1; Orfield, 347; and Watson, 182.

## The End of the Integration Movement

The death throes of the integration movement in Los Angeles took place in the federal courts. One such effort was a continuation of the fight against Proposition 1. Opponents of the proposition took their case to the U.S. Supreme Court and argued that the amendment was unconstitutional because it violated equal protection laws. The court, however, ruled that because the law brought the California state constitution into greater alignment with the 14<sup>th</sup> Amendment it could in no way be interpreted as violating the Constitution.<sup>37</sup>

The other effort was the NAACP's attempt to bring charges of *de jure* segregation against the LAUSD, the California State Department of Education, the State Superintendent of Public Instruction and the Governor. Even though the federal judge dismissed the charges against the state defendants, the case against the LAUSD dragged on for years. The case was finally resolved in 1988 when the NAACP declared that it no longer had the funds necessary to continue the legal battle. In their defeat, they also conceded that the demographics of the school district had changed in such a radical manner as to make a decision in their favor a Pyrrhic victory.<sup>38</sup>

This decision did not cause as much commotion as one would predict. For years the Los Angeles community happily ignored the case and generally wished it would go away. Efforts on the part of groups seeking equal educational opportunity had already been shifting towards adequacy spending and "separate but equal" under a different name. Most were resigned to the fact that the LAUSD was and would always be segregated.

---

<sup>37</sup> Cooper, 251 and Rowland L. Young, "Schools...Desegregation," *ABA Journal*, 9/82.

<sup>38</sup> Watson, 183; Elaine Woo, "26-Year Desegregation Case Ended," *Los Angeles Times* (March 28 1989), 2-12; and Cooper, 262



## Bibliography

- Caughey, John. "Decentralization or Integration in Los Angeles?" *Integrated Education: Race and Schools* 52, July-August (1971): 39-44.
- Caughey, John Walton and LaRee Caughey. *School Segregation On Our Doorstep*. Los Angeles: Quail Books, 1966.
- Caughey, John Walton, and LaRee Caughey. *To Kill a Child's Spirit; the Tragedy of School Segregation in Los Angeles*. Itasca: F. E. Peacock Publishers, 1973.
- Cooper, Donald Glenn. "The Controversy Over Desegregation in the Los Angeles Unified School District, 1962-1981." Dissertation, University of Southern California, 1991.
- Dart, John. "Black Clergymen Hit Plan to Limit Busing." *Los Angeles Times*, March 17 1979, 1-30.
- del Olmo, Frank. "Latins Hit School Integration Plan." *Los Angeles Times*, February 10 1977, 2-1.
- Endicott, William. "Gitelson Blames Racists for Defeat." *Los Angeles Times*, November 5 1970, 1-1.
- Endicott, William. "Gitelson Trailing in Early Returns." *Los Angeles Times*, November 4 1970, 1-3.
- Ettinger, David S. "The Quest to Desegregate Los Angeles Schools." *Los Angeles Lawyer*, March (2003): 54-67.
- Faris, Gerald, and Kevin Roderick. "Parents Will Be Permitted Option on Pupil Transfers." *Los Angeles Times*, March 17 1981, 1-1.

Hager, Philip. "High Court Stuns Friends and Foes Alike." *Los Angeles Times*, March 13 1981, 1-6.

Hopkins, Gayle. "School Integration in the Los Angeles Unified School District and the Involvement of the Black Community." Ph.D. dissertation, Claremont Graduate University, 1978.

McCurdy, Jack. "Court Orders L.A. School Integration." *Los Angeles Times*, February 12 1970, 1-1.

\_\_\_\_\_ "Court Reverses L.A. Desegregation Order." *Los Angeles Times*, March 11 1975, 1-1.

\_\_\_\_\_ "L.A. Busing Starts Today; Leaders Urge Compliance." *Los Angeles Times*, September 12 1978, 1-1.

\_\_\_\_\_ "Limited, Voluntary Bussing Proposed for City Schools." *Los Angeles Times*, February 27 1968, 1-1.

\_\_\_\_\_ "Schools Chief Asks Board Not to Expand Busing Plan." *Los Angeles Times*, February 21 1979, 1-8.

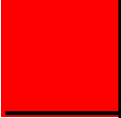
\_\_\_\_\_ "State High Court Orders L.A. to Integrate Schools." *Los Angeles Times*, June 29 1976, 1-3.

McGraw, Carol. "L.A. Schools: Integration Fight -- No Victor Seen." *Los Angeles Times*, April 6 1989, 1-1.

McManus, Doyle. "Antibusing Leaders Vow to Continue Fight; Proponents Jubilant." *Los Angeles Times*, September 7 1978, 1-3.

Oliver, Myrna. "Court Gives Green Light to L.A. Busing." *Los Angeles Times*, September 7 1978, 1-3.

\_\_\_\_\_ "Egly Accepts School Plan as First Step." *Los Angeles Times*, February 8 1978.

- 
- Orfield, Gary. "Lessons of the Los Angeles Desegregation Case." *Education and Urban Society* 16, May (1984): 338-53.
- Roderick, Kevin. "Prop. 1 Upheld; Bars L.A. Busing." *Los Angeles Times*, December 12 1980, 1-1.
- \_\_\_\_\_ and Charles P. Wallace. "U.S. Appeals Court Lifts Busing Order." *Los Angeles Times*, April 19 1981, 1-1.
- Ruiz, Vicki L. "'We Always Tell Our Children They Are Americans:' *Mendez v. Westminster* and the California Road to *Brown v. Board of Education*." *The College Board Review* 200, Fall (2003): 20-27.
- Staff. "Ruling Based on Gitelson Order for L.A. to Integrate." *Los Angeles Times*, June 29 1976, 1-3.
- Stammer, Larry. "Politicians and Educators Show Outrage, Celebrate." *Los Angeles Times*, March 13 1981, 1-6.
- Summers, Alex. "Angels in Purgatory: Los Angeles Waits Two Decisions on Mandatory Busing for Desegregation." *Phi Delta Kappan* 60, no. 10 (June, 1979): 718-723.
- Trombley, William. "Egly Accuses School Board of Stalling, 'Using' Court." *Los Angeles Times*, June 3 1977, 1-24.
- \_\_\_\_\_ "Egly Taking Himself Off Schools Case." *Los Angeles Times*, March 15 1981, 1-1.
- \_\_\_\_\_ "Metro School Busing Issue Sparks Storm of Outrage." *Los Angeles Times*, January 21 1979, 1-1.
- \_\_\_\_\_ "Officials Pleased Despite Pickets, Transit Problems." *Los Angeles Times*, September 12 1978, 1-1.

United States Commission on Civil Rights. *A Generation Deprived: Los Angeles School Desegregation*. Washington DC: United States Congress, 1977.

Watson, Diane E. "The Effects of the Desegregation Controversy on Trustee Governance in the Los Angeles Unified School District (1975-1980)." dissertation, Claremont Graduate University, 1987.

Woo, Elaine. "26-Year Desegregation Case Ended." *Los Angeles Times*, March 28 1989, 2-12.

Young, Rowland L. "Schools ... Desegregation." *ABA Journal* (1982).