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FLOOR STATEMENT BY SENATOR JOHN STENNIS

Mr. President, in order to put before the Senate all the facts necessary for full consideration of amendments I intend to offer to the Health, Education and Welfare Appropriations Bill, I present today information relative to the school system of the State of New Jersey.

These facts show there is segregation in the public schools of New Jersey that equals, if not surpasses, segregation in many of the schools that are now under the most demanding orders of HEW and the courts.

I emphasize that if segregation is wrong in the public schools of the South, it is wrong in the public schools of all other states.

This opinion is shared by Mr. Leon Panetta, Director, Office for Civil Rights of HEW.

In testimony before the House Appropriations Committee on April 30 (page 1061, House Appropriations Committee hearings, HEW 1970), Mr. Panetta made the following statement:

"I talked with a number of people who feel that the Civil Rights Act only aims at the dual school structure and that it really only aims at the Southern situation. It does not say that and I think it talks in terms of discrimination per se, which can occur anywhere regardless of geographic boundaries."

However, Mr. Panetta also said of civil rights enforcement in northern public schools, "... there never really was a northern program until the last year."

I emphasize this, Mr. President, and also point out that even within the last year little, if anything, has been done to effectively remove segregation in the North.

For instance, since the civil rights law was passed as of October 16 of this year, in the North only 46 of 7,015 compliance agreements filed have been given a preliminary check by HEW.

In the South 2,994 districts have filed form 441 and all have been checked, 100 percent. That is according to the records; that is not an estimate. It is according to the records; 1,107 districts have filed form 441-B outlining a voluntary desegregation plan.

In the North only, six out of 7,015 total districts of the North have been sent letters of noncompliance.

In the South, 568 out of 1,107 school districts of the South have been sent letters of noncompliance.

In the North and West, only one out of 7,015 school districts have been the subject of administrative action by HEW.

The tragedy of this so-called crusade against discrimination on a sectional basis is that it is within itself discrimination against a geographical section of the United States.

It might be claimed that segregation in New Jersey is accidental and not the result of official state and local government action. Such, however, is not

the case as it has been made clear by the Civil Rights Commission and their report on racial isolation, 1967, at page 42.

According to the Civil Rights Commission, the official policy that had the effect of law in the State of New Jersey as late as 1930 was to operate separate but equal schools when, in the judgment of the Board of Education, it was best to do so.

"In New Jersey, separate schools for Negroes were maintained well into the 20th century despite an 1881 statute prohibiting the exclusion of children from schools on the basis of race. In 1923, the State Commissioner of Education ruled that local school authorities could provide special schools for Negroes in their residential areas, and allow the transfer of white students from these schools to white schools. The ruling was reaffirmed in 1930. As late as 1940, there were at least 70 separate schools for Negroes in New Jersey."

FLOOR STATEMENT BY SENATOR JOHN C. STENNIS
DECEMBER 2, 1969

NEW JERSEY

In New Jersey, according to the 1968-69 HEW school survey, there was a total of 1,234,470 students in the elementary and secondary schools. Of this total, 986,448, or 79%, of total enrollment were white, 200,117, or 16%, were Negro, and the remaining 5% was made up of other minority groups.

HEW's IBM data reflects that there are 24 cities or townships in New Jersey which have one or more schools where Negro students make up 80% or more of the total school enrollment, and in these 24 school districts are enrolled 78.7% of the total Negro student enrollment in the state of New Jersey. In these 24 cities or school districts, there are 162 schools where the Negro student enrollment is 80% to 100%. There are 90,966 Negro students, or 45.4% of all Negro students in the state of New Jersey, in these 162 schools. There are 87,645 - or 43.8% - of the Negro students in the state of New Jersey in 115 schools that are 90% to 100% segregated, and there are 68,184 - or 34% of New Jersey's Negro student population - in 83 schools which are 95% to 100% segregated.

For example, Atlantic City has a total school enrollment of 8,605 students, of which 5,357, or 62.3%, are Negro and 3,064, or 35.6%, are white. Atlantic City has 5 schools with a total enrollment of 2,888, which are practically 100% Negro, with 2,883 Negro students and 5 Spanish Americans. In other words, 53.8% of Atlantic City's Negro student population are segre-

gated in 5 all Negro schools. There are another 4 schools, with a total enrollment of 1,829, which are majority Negro schools - from 68.3% to 75.7%. There are 5 majority white schools with a total enrollment of 3,888, of which 2,600 are white, which is 84.8% of the total white enrollment. In other words, approximately 15% of the white students in Atlantic City attend majority Negro schools. 23.3% of the total Negro enrollment attend majority white schools. This would appear to be a rather segregated situation.

The Camden, New Jersey, school district has a total enrollment of 20,236 in 31 schools, of which 11,909, or 58.9%, are Negro students; 6,420, or 31.7%, are white; and 1,907, or 9.4%, come from other minority groups. Two schools with a total enrollment of 835 have a total minority group enrollment - 765 Negroes, 69 Spanish-Americans, and 1 American Indian. There are another 7 schools with a total enrollment of 4,300, of which 3,765 are Negroes, 427 are Spanish Americans, 98 are white students (1.5% of the total white student enrollment in Camden), and 10 are Oriental students. These 7 schools are made up of 95.3% to 98.5% minority enrollment. There are another 5 schools in the 90%-95% minority enrollment bracket, which have a total enrollment of 3,831 students, of which 2,806 are Negroes, 750 are Spanish-Americans, 269 (4.2% of total white enrollment) are white, 4 are Orientals, and 2 are American-Indians. There are 8 additional majority Negro schools with a total enrollment of 4,784, 3,575 of which are Negroes, 848 are white (3.2% of total white enrollment), 359 are Spanish-Americans, and 2 are Orientals in these 8 schools.

In total there are 22 Negro majority schools with a total enrollment of 13,750, and 1,215 white students (18.9% of total white student enrollment) attend

these Negro schools in Camden.

There are 9 majority white schools with a total enrollment of 6,486, of which 5,205 are white, 998 are Negroes, 274 are listed as Spanish-Americans, and 9 are from other minority groups.

Overall, 8.3% of the Negro students in Camden attend majority white schools and 91.7% attend majority Negro schools. 81.1% of the total white students attend schools that are majority white and 18.9% attend schools where the minority groups are in the majority.

Newark, New Jersey, is the largest city in the state. It has a total school enrollment of 75,960 in 80 schools, of which 55,057 (or 72.5%) are Negro students, 13,716 (or 18.1%) are white, and 7,187 (or 9.4%) are made up of other minorities, classified by HEW as Spanish-Americans, Orientals, and American Indians.

There are 10 schools with a total enrollment of 10,963, which are 100% minority segregated (10,607 Negro students and 356 Spanish-American). There are 13 schools with a total enrollment of 21,360 that are 99% to 99.9% minority segregated. These 13 schools are made up of 20,577 Negro students, 682 Spanish-Americans, 94 whites (0.6% of total white enrollment), and 7 other minority group students. Accordingly, 31,184, or 56.6%, of the total Negro enrollment are in 23 schools which are 99% and 100% segregated. There are an additional 15 schools with a total enrollment of 11,712 which are 95.9% to 98.9% minority enrollment. There are 10,262 Negro students and 363 white students (2.6% of the total white student enrollment) in these schools. It follows that 41,446, or 75.2%, of total Negro enrollment are in 38 schools that are 95.9% to

100% segregated. There are 6 schools with an aggregate enrollment of 7,194 which are 91.4% to 94.9% segregated, there being 5,385 Negro students and 504 white students (3.6% of total white student enrollment), with the balance being made up of other minority group students. There are 6 schools with a total enrollment of 2,410 in the 80% to 90% segregated bracket. There are 361 white students in these 6 schools, 1,555 Negro students, and 487 Spanish-Americans. There is a total enrollment of 12,189 students in the remaining 15 majority Negro schools, ranging between 50.2% and 79.2% minority enrollment.

In all, 53,583, or 97.3%, of the total Negro student enrollment are in 65 majority Negro schools.

There are 10 majority white schools with a total enrollment of 9,832, of which 8,111 are white, 1,174 are Negro, 516 are Spanish-American, and 31 are Orientals. On the basis of these IBM figures, 2.1% of the total Negro student enrollment go to majority white schools and 97.3% attend majority Negro schools. 59.1% of the total white student enrollment attend majority white schools which are 94.1% to 65% white.

Trenton, the capital of New Jersey, has a total school enrollment of 16,865, of which 11,143, or 66.1% are Negro, 4,881, or 28.9%, are white, and 5% are made up of other minority groups.

In the Negro majority schools there are 2 schools with a total enrollment of 1,320 that are 99.5% and 98.2% minority segregated; 3 schools with a total enrollment of 2,341 that are 95.2% to 97.5% minority segregated; 7 schools with a total enrollment of 4,442 that are from 80.3% to 94.9% minority segregated; and 4 schools with a total enrollment of 6,492 that are from 52% to 73.1% minority segregated.

In the majority white schools, there are 5 schools with a total enrollment of 2,270, of which 1,789 are white, 357 are Negro, 122 are Spanish-American, and 2 are from other minority groups. The 357 Negro students attending majority white schools represent 3.2% of the total Negro enrollment, and the 1,789 white students attending majority white schools represent 36.7% of the total white enrollment, with the balance attending majority black schools.

In New Jersey there are a number of smaller cities or towns which have a predominantly white population but have one or two schools that are 90% to 100% Negro. For example, the school district of the township of Union, New Jersey, has a total public school student population of 8,719, of which 7,718 or 88.5% are white and 986 or 11.3% are Negro students, yet there is one public school of 390 students which is 94.9% Negro. It is my understanding that this is the only school district in New Jersey in which the Department of HEW has conducted a thorough survey and negotiated desegregation, and I think this may demonstrate the timidity with which HEW has approached the business of desegregating schools in the north. It is my further understanding that there were indications of gerrymandering in this district but that HEW, after over a year's investigation and negotiation, gave the school district permission to desegregate in two steps over a 2-year period.