

## Judge Bryan Hears Placement Body And Local Board

By Robert E. Baker  
Staff Reporter

The Arlington School Board postponed the opening of the fall school term from Thursday until next Monday after the first day of hearings yesterday in the county's school desegregation case.

The unanimous action was taken after it became apparent the hearings would carry over to today and a decision by Federal District Judge Albert V. Bryan might not be handed down for several days.

All three Virginia communities facing imminent desegregation orders now have postponed the school opening date. Charlottesville, scheduled to begin the fall term yesterday, had delayed the opening until Sept. 15. Norfolk, scheduled to open on Monday, yesterday moved its date ahead to Sept. 22.

The Arlington announce-

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ment came after these developments in Alexandria Federal Court:

- Barnard Joy, School Board member, testified that the School Board had rejected the applications of 30 Negro pupils to attend seven white schools. The Board thus followed a State pattern of rejecting Negro applications and defending the action in court.

- Ray E. Reid, Arlington school superintendent, conceded that race was the factor which distinguished from others the processing of the Negro requests for transfers.

- An attorney for the State Pupil Placement Board argued that it has sole authority to assign pupils and the Federal court must not by-pass the State agency. The State Board also has rejected all 30 applications.

- Bryan asked attorneys if

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# Start Delayed By Arlington

They considered the appeal of the Little Rock integration case to the Supreme Court had any bearing on the Arlington case. Attorneys said they want to argue the point later.

**Mum on Rejection**  
School Board members—divided along conservative and liberal lines—declined to tell reporters if rejection of all 30 Negro applicants was a unanimous action. It is understood it was not. The action took place at a "conference" last Thursday.

The School Board has contended that it has no authority to make pupil assignments because the State Pupil Placement Board—set up as part of Virginia's "massive resistance" program—has sole placement power.

But it apparently made the "conditional" assignments in the event Bryan rules that it, and not the State Board, is responsible for carrying out his desegregation order.

**Three Categories**  
Joy told the court the rejections fell into five categories; attendance areas, overcrowding of Washington-Lee High School, academic deficiency, psychological problems and inability to adapt to new situations.

Thirteen of the applicants were rejected for a single reason, 17 for two or more reasons.

Equipped with charts, maps and records, Joy showed how 27 of the Negroes were found academically deficient.

He explained a lag in achievement and IQ scores within Negro schools by characterizing Arlington's white community as one "where doctor's degrees are a dime a dozen."

The high education of white parents and their desire to give their children the best

education have placed the white students above average, he said.

"A similar situation does not exist as far as the Negro community is concerned," he said.

One Negro applicant has an IQ of 111, Joy declared but was rejected with six others for psychological reasons.

"He shows extreme shyness and it is unwise and possibly harmful to enter him in a school of another race," Joy read from a psychological report prepared on the students by an official of the State Department of Health.

Five applicants to Washington-Lee High School were rejected, he said, because it wouldn't be fair to send them to that school when 250 eligible white students must travel to Wakefield Junior High School because of overcrowded conditions at W-L.

**"Sense of Belonging"**  
Inability to adjust to new situations was the reason cited by the School Board for rejecting five applicants. Explained Superintendent Reid to the court: "Every child needs a sense of belonging."

Under sharp questioning by Frank D. Reeves, attorney for the complaining Negroes, Reid acknowledged the only transfer requests handled in such a way by the board were those of the Negro applicants.

"That's a fact," he said. "So it works out that way."

The hearing before Bryan opened with a review of the Arlington case and the School Board's present position by Simmonds, its attorney.

Last September, Bryan directed the admission of seven Negroes to five white schools but suspended his order pending unsuccessful appeals. Bryan ruled that the Negroes need not adhere to the procedures of the State Pupil Placement Act because they were too cumbersome.

**Closing Threat**  
He noted the Pupil Placement Board had to assign pupils with the knowledge an assignment of a Negro to a white school would mean the closing of the school under state law.

Five pupils remaining in the case have applied again, along with 25 others.

The School Board contends that changes in the Pupil Placement Act since last year have made it valid. The Negroes submitted to interviews by the State agency. All were rejected.

A. B. Scott, counsel for the Pupil Placement Board, argued that point yesterday and contended that Bryan had no reason to rule now that the State agency had acted improperly. He said the court had no jurisdiction until the Pupil Placement Board was made a party to the suit.

**Rulings Attacked**  
Scott called previous rulings against the board "presumptuous" and decried the "great deal of ignominy" that has been heaped upon it.

Of Federal Judge Walter E. Hoffman's ruling in the Norfolk case last year that the Pupil Placement Act was unconstitutional, Scott said: "I can really knock that opinion into a cocked hat."

But Reeves told the court: "We stand here today with the situation that, as of today, not one single Negro who submitted to the Pupil Placement Board, or who did not, has been assigned to a school previously operated for white children."

**Question Cited**  
Reeves cited one question asked of the Negro applicants during interviews with a Pupil Placement Board representative.

"Each was asked: 'Are you seeking admission to this white school because of your so-called constitutional rights?'"

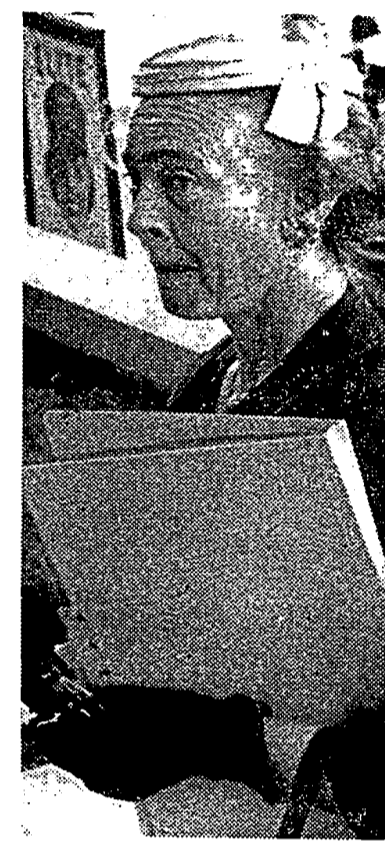
"This was the tone of the School Board and Pupil Placement Board, that 'you will be happier where you are.'"

"This has been the result of our cooperating with the Arlington School Board so far."

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Arlington County and State officials arrive at Alexandria Federal Court for the hearing on the Arlington integration issue. At left are two Arlington School Board members, Robert A. Peck and L. Lee Bean. In the right panel David L. Krupsaw, Arlington County Board mem-

ber, poses outside the court with Kathryn Stone, Arlington's Delegate to the Virginia General Assembly, and Mrs. Stone's daughters, Joanna and Suzanne. The court hearing will continue today.



On hand for the Federal Court hearings yesterday were, from left, Arlington School Superintendent Ray E. Reid; one

of the Negro students applying for admission to white schools, and School Board member James G. Stockard.

Arlington School Board member Helen S. Lane in Alexandria yesterday.

1955 school desegregation ruling.

The Little Rock case concerns the ruling of Federal District Judge Harry J. Lemley who suspended integration there until 1961 because of tension and turmoil.

The Eighth Circuit Court of Appeals reversed Lemley, ruling that court orders should not give way to violence or threats of violence and tension.

In Norfolk, Judge Hoffman cited the Eighth Circuit ruling in instructing the School Board there not to use racial tension or isolation as reasons for rejecting Negro applications to white schools. This forced the Board tentatively to admit 17 Negroes, whom they previously had rejected on those grounds.

Hoffman intimated he would order the Negroes back to their schools, however, if the Supreme Court upheld Lemley.

The Arlington County Board agreed last night to be on call for an emergency meeting at any time to cooperate with the School Board in seeking to keep schools open.

The State law which requires the closing of integrated schools also permits the Governor to return them to the community if requested by the School Board and the governing body of the community.



Howard E. Bovee, at left, administrative assistant to Arlington School Superintendent Reid, and Bernard Joy, a School Board member, in Alexandria yesterday.