

THE PEARSALL PLAN

to

• *Save*

• *our*

• *Schools*

Here, briefly, is the Pearsall Committee plan to preserve North Carolina's public school system. It is the result of a hard, conscientious study conducted since the U. S. Supreme Court decision of May 17, 1954. This pamphlet does not attempt to answer every question. It is designed to give basic information. Full information may be obtained by writing the North Carolina Advisory Committee on Education, Room 357, Revenue Building, Raleigh.

LEGISLATIVE RECOMMENDATIONS
OF
NORTH CAROLINA ADVISORY COMMITTEE ON EDUCATION

The Advisory Committee suggested eight separate bills for submission to the N. C. General Assembly to implement its "Report of April 5, 1956," so that no child in North Carolina will be forced to attend a school with a child of another race. These bills are as follows:

1. *Constitutional Amendment*: This Amendment if enacted by the Legislature and adopted by the people at a general election will permit the granting of education expense grants to any child for whom no public school is available, or who is assigned against his parent's wishes to a mixed public school; and, to provide by a vote of the people for suspending the operation of a school or schools in a community where conditions become intolerable.

2. *Election Machinery*: This bill provides the necessary procedures to submit the Constitutional Amendment to a vote of the people.

3. *Education Expense Grant*: This bill provides that any child for whom no public school is available or who is assigned against the wishes of his parents to a public school attended by a child of another race, and cannot reasonably be reassigned to a public school not attended by a child of another race, may receive a grant of State and local funds to be used in obtaining an education in a private school.

4. *Local Option*: This bill provides that the board of education in your community may subdivide the school administrative unit into local areas and submit to the registered voters in that community the choice of whether they want to continue or suspend operation of public school or schools in that local area.

5. *Amendment to Compulsory School Attendance Law*: This bill does not change the compulsory attendance laws of North Carolina except to provide that when a child assigned against the wishes of his parent to a public school attended by a child of another race *and* it is not reasonable and practicable to reassign such child to a non-mixed public school, *and* it is not reasonable and practicable for the child to attend an approved private school, then the child shall not be forced to attend a school.

6. *Appropriations*: This bill provides for allocations from the State's Contingency and Emergency Fund to pay for any education expense grants which are authorized under the law.

7. *Amendment to Assignment Act*: This bill would make certain clarifications in the present Assignment Act which was enacted by the 1955 Session of the General Assembly.

8. *Resolution of Condemnation and Protest*: This bill is aimed at alerting the entire nation to the serious problems created when the Supreme Court of the United States in effect amended the Federal Constitution.

QUESTIONS AND ANSWERS

1. *What is the purpose of this Program?*
 - A. It is an effort to preserve North Carolina's Public School system.
2. *Why should we amend our State Constitution?*
 - A. It is necessary to amend the N. C. Constitution in order that the State legislature can pass the necessary laws to protect the people against unacceptable mixing of the races and thereby assure public support of schools.
3. *What are we going to vote on?*
 - A. The people will decide whether they want to authorize the General Assembly to provide education expense grants for private education. They also will decide whether they want the closing of any school to be decided by the people on the local level. In other words, the smallest school unit could make the decision.
4. *Why should we vote for the amendment?*
 - A. To give ourselves as much freedom of choice as is possible under the U. S. Supreme Court decision.
5. *If the people approve this program will my child be forced to attend school with a member of another race?*
 - A. **Emphatically No.**
6. *Is this whole thing an effort to defy the U. S. Supreme Court?*
 - A. It is not defiance. It is an attempt to stay within that decision, even though a great majority of our citizens disapprove the Supreme Court's ruling.
7. *Are we sure that approval on our part will preserve our traditional system of segregated schools?*
 - A. We cannot be sure of anything the U. S. Supreme Court may do, or say. But this is the best plan that has been advanced that would prevent forced mixing of races in our schools.
8. *Did the U. S. Supreme Court say that my child has to go to school with a member of another race?*
 - A. **No.**
9. *What did it say, in effect?*
 - A. **Only that we cannot deny admission of a child to a public school solely on the basis of race.**
10. *If conditions in my child's public school become intolerable, what happens?*

- A. **Your school board can order an election; or 15% of the people in your school unit can ask for an election on suspending it. If the school is closed, it can later be reopened by vote of the people in the same manner.**
11. *Suppose children of another race are assigned to the school attended by my child and I object? What remedy will I have?*
- A. **Your child can be reassigned to another public school provided one is reasonably available, or, if one is not available, you can withdraw your child from school. Then you may send your child to private school.**
12. *How can I afford that?*
- A. **The State will provide the proportionate part of its school fund for your child's private education. Figured on the present basis, that would amount to about \$135.00 per school year. Your local school board could add any amount to that that it sees fit. But, the total amount of money given by the State and your local school board could not exceed the actual cost of your child's private education.**
13. *Can I send my child to any private school of my choice?*
- A. **Yes. So long as the school is not operated by a sectarian (church) group and the school is approved by the State Board of Education.**
14. *What is a local option unit?*
- A. **Under this program of Governor Hodges and the Advisory Committee on Education, your administrative School Board may create what would be known as "local option units". A local option unit would be any county or city school administrative unit or any subdivision thereof.**
15. *Give me an illustration.*
- A. **If your City School Board wanted to, it could make a local option unit out of the immediate area that your child's school serves.**
16. *If the people in my area decide to close my child's school, could I send my child to a school in another unit?*
- A. **You may not. However, you may move your home into another unit and your child could go to a public school there, or you can get a grant.**
17. *What about the compulsory school law?*
- A. **It remains in the books with one change. Under this change you would not be forced to send your child to**

school if (1) the only public school available to you is integrated and (2) no approved private school is available.

18. *Did the U. S. Supreme Court have the right to disturb our long-established school system like this?*

A. **We think not. We believe it took power unto itself that actually rests in the hands of the people of a state. The Supreme Court's continued assignment unto itself of unprecedented and illegal power is causing grave and growing concern throughout the United States. But until the Court is curbed, its decisions are the law.**

19. *Do these questions on which we will vote get around the Supreme Court's decision?*

A. **Again, we are not attempting to defy the Court. We are law-abiding, decent people. It is our prayerful wish to continue a public school system for those who want it and yet preserve our traditions.**

20. *Who determines when a condition is "intolerable" and a vote on closing the school is requested?*

A. **The word "intolerable" is not included in these bills. However, it is up to the people in a local option unit to determine whether their school's operation has become intolerable. The vote of the people in the unit will determine this question. If the vote is to close the schools, then the condition is intolerable. If the vote is to keep open the schools, then the condition is evidently not intolerable.**

21. *What will become of school buildings no longer used for public school purposes?*

A. **Public school buildings belong to local administrative units and therefore to the people who live in that unit. Laws that have been in the books for many years provide that local school boards may lease or sell school property no longer necessary for public school purposes.**

22. *Why should I vote?*

A. **It is the duty of every citizen to express himself at the polls on this highly important matter. This program is non-partisan and was formulated by earnest people in both major parties, representing every section of North Carolina.**

EXISTING SCHOOLS

WHITE

NEGRO



UNION



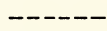
HIGH



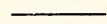
ELEMENTARY



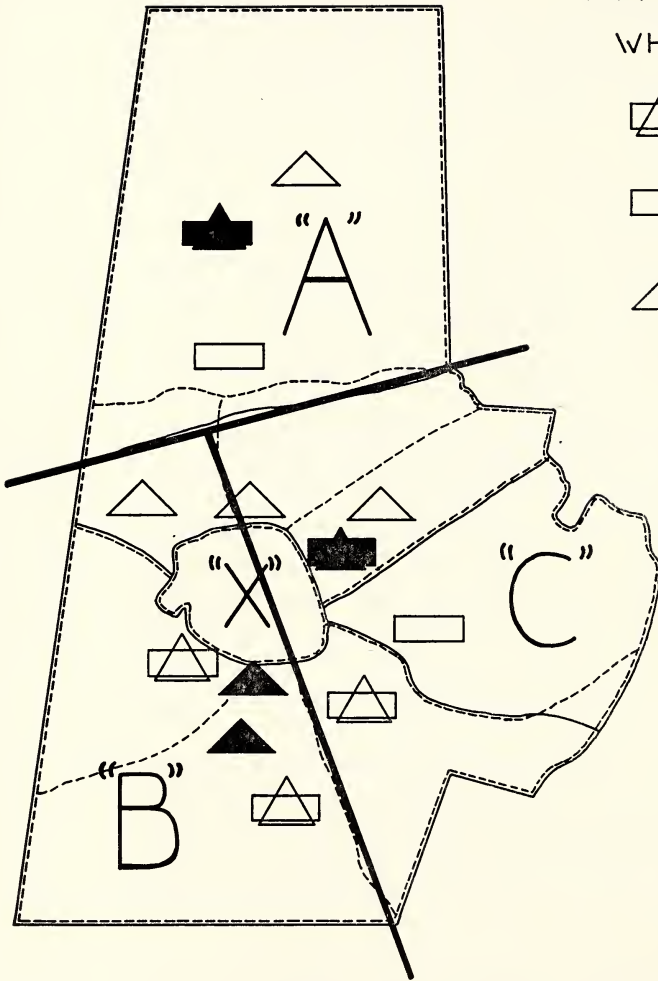
BOUNDARY LINES



WHITE



NEGRO



EXAMPLES OF HOW LOCAL OPTION WILL WORK

The above diagram is a representative public school administrative unit for an entire county. The city administrative unit in the county (marked "X" in diagram) is independent of the county unit, and thus will be able to set up local option units in the city.

Some examples:

1. The entire administrative unit (county) under the law is a local option unit. The voters could vote on suspending the operation of all schools *or* the elementary *or* high schools in the county, or
2. The county could be divided into many smaller local option districts by the Board of Education—such as "A," "B" and "C" (see diagram) or any other possible combination the Board chooses.
3. The voters could then vote to suspend the elementary *or* high school, and the equivalent grades in the union school. Thus, in "A," voters could vote to suspend the operation of the high schools. This would not affect the elementary schools or elementary grades of the union schools.
4. If the voters suspend the elementary schools in "A," no child residing in "A" would be entitled to attend a public elementary school so long as operation of schools remain suspended.
5. Schools may be reopened in the same manner as they are suspended.

COMMITTEE MEMBERS

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W. T. Joyner, Vice-Chairman

Lunsford Crew

R. O. Huffman

William Medford

H. Cloyd Philpott

Edward F. Yarborough

THOMAS F. ELLIS
Special Counsel &
Executive Secretary