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annual report

West Virginia

HUMAN RIGHTS

COMMISSION

State Capitol Building
Charleston, West Virginia

1965 - 1966

FIFTH ANNUAL REPORT

WEST VIRGINIA HUMAN RIGHTS COMMISSION



STATE OF WEST VIRGINIA
HUMAN RIGHTS COMMISSION

HULETT C. SMITH
GOVERNOR

W-202 STATE CAPITOL BUILDING
CHARLESTON, WEST VIRGINIA 25305
TELEPHONE 348-2616

CARL W. GLATT
EXECUTIVE DIRECTOR
GEORGE E. CHAMBERLAIN, JR.
FIELD SERVICE DIRECTOR
FRANKLIN GORDON
FIELD REPRESENTATIVE

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HUNTINGTON
 - MR. LESLIE A. MARTIN
CHARLESTON
 - MR. WILLIAM SANDERS
PRINCETON
 - MR. H. R. RICHARDS
PARKERSBURG

December, 1966

*The Honorable Hulett C. Smith
Governor of West Virginia
State Capitol Building
Charleston, West Virginia*

Dear Governor Smith:

The West Virginia Human Rights Commission is pleased to submit its Fifth Annual Report for fiscal year 1965-66 pursuant to Article 11, Section 4 (i), Chapter Five of the Code of West Virginia.

The report reflects the uncertainty of the times relative to human rights problems and the uncertainty of this Commission's responsibilities and of the tools it has been given to meet these responsibilities. It is hoped your support and the efforts of the 1967 Legislature can be directed towards the passage of enforceable legislation to prohibit discrimination based on race, religion, color, national origin, ancestry, sex, or age in employment, places of public accommodations, and housing to remove this uncertainty which plagues the daily life of our Negro and other minority group citizens.

The Commission appreciates that your support of its activities has been consistently helpful, and we appreciate the interest and efforts of the many dedicated individuals and organizations throughout the State of West Virginia which have assisted in this Commission's educational program to protect the human rights of all citizens.

Very truly yours,
Samuel Cooper
Rabbi Samuel Cooper
Chairman

MEMBERS OF THE COMMISSION

Current members of the Commission and their terms of office are:

Rabbi Samuel Cooper CHAIRMAN - Charleston Third Congressional District	June 30, 1967
Mr. Emery F. Bacon VICE CHAIRMAN - Morgantown Second Congressional District	June 30, 1967
Mr. D. Paul Camilletti Wheeling First Congressional District	June 30, 1968
Rev. J. Matthew Coleman Bluefield Fifth Congressional District	June 30, 1967
Mrs. Nelson Eldred South Charleston Third Congressional District	June 30, 1969
Mr. A. J. Williams, Jr. Huntington Fourth Congressional District	June 30, 1969
Mr. Leslie Martin Charleston Third Congressional District	June 30, 1968
Mr. William Sanders Princeton Fifth Congressional District	June 30, 1969
Mr. Harley R. Richards Parkersburg Fourth Congressional District	June 30, 1968

Members are appointed by the Governor with the approval of the Senate. By law, the Commission may not contain more than five members of one political party. At least one person must represent each Congressional district, and there may be no more than three members from any one Congressional district. Commission members are not paid, but may receive reimbursement for actual expenses incurred.

The Chairman and Vice Chairman are elected by the Commission membership at the annual meeting in July. The Commission meets approximately once a month. Currently, the regular meeting date is the second Thursday of the month.

FOREWORD

The West Virginia Human Rights Commission has been an agency in transition during the past year. The year was highlighted by greater interest and support from West Virginia civil rights proponents than in previous years.

In July 1965, the Commission faced several problems. It needed additional professional staff, secretarial help, operating funds, and an enforceable law for solving these problems. Public concern, legislative support, and the interest of the Governor and the members of the Board of Public Works resulted in an improved budget for the 1966-1967 year which added one professional and one clerical employee to the Commission's staff.

The Commission is directed by West Virginia laws to combat prejudice, discrimination and segregation by receiving, initiating, investigating and mediating complaints of unfair practices; undertaking research; working with community groups and individuals who seek knowledge about ways to be helpful in the Commission's areas of interest; and initiating programs of public information and intergroup education.

The ultimate goal of the law and of the Commission is still a long way off. However, some progress commenced with the establishment of the Commission and there have been advances each year. It is accelerating more and more as false concepts are destroyed and this agency finds itself teamed with official human rights commissions in West Virginia, the Federal government, and voluntary groups operating on a local and state-wide basis.

The Commissioners are determined that the West Virginia Human Rights Commission shall be as effective as possible and the social climate in West Virginia gives promise of encouraging the development of a stronger civil rights program. The task this year has been to initiate sound programs which would guarantee equal rights for all citizens and to help obtain these rights in an orderly, lawful and peaceful way.

RECOMMENDATIONS

1. The Commission recommends the enactment of a West Virginia Human Rights law with enforcement provisions covering employment practices, public accommodations, and housing. The law should include effective administrative procedures including subpoena powers, public hearings, cease and desist orders, court review, and penalties for violation. The State of West Virginia should meet its responsibilities to protect the civil rights of all its citizens through an enforceable human rights law rather than rely on the Federal government to do so.
2. The Commission recommends that the staff of the Commission be enlarged to permit more extensive contact with public and private human rights agencies and organizations in communities throughout the state and to effectively administer a more comprehensive human rights law.

COMMISSION PERSONNEL CHANGES

Howard W. McKinney, Executive Director of the West Virginia Human Rights Commission since its inception, resigned April 24, 1966, to

accept a position with the U. S. Community Relations Service. The Commission accepted the resignation "with extreme regret."

Mr. McKinney stated his main reason for leaving was essentially the personal challenge of the greater responsibilities of the position as Field Conciliator with the Federal agency. He had helped to establish the work of the West Virginia Human Rights Commission to the point where it had become an effective and respected agency for the advancement of human rights in this state. He pioneered in the establishment of community human rights commissions, thereby enlisting the local citizenry in the solution of their own problems.

Dr. Thomas W. Gavett resigned from the Commission in May, 1966 when he moved to Washington, D. C. to accept employment with the U. S. Department of Labor. Mr. Emery Bacon was named to fill the unexpired portion of his term. Mrs. Memphis T. Garrison and Mr. Roy E. Nolte requested not to be reappointed, as their job duties made it difficult to attend meetings. Mr. A. J. Williams, Jr., Huntington; and Mr. William Sanders, Princeton, were appointed to full terms until June, 1969.

EMPLOYMENT

The change in Commission personnel prevents an organized presentation of complaints of employment discrimination brought to the Commission's attention during this fiscal year. Realistically, the Commission has not been able to receive and docket specific complaints for individuals because persons discriminated against see no purpose in filing complaints which the Commission, lacking enforcement powers,

is helpless to remedy. Scores of incidents have been related to the Commission's staff, but always the principals refuse to become party to a complaint action for fear of reprisal unprotected by any statutory powers of the Commission.

Through observations, reports from members of local human relations commissions and councils, and the descriptions of patterns of discrimination provided by Negro organizations and Negro leadership, it has become clear only token progress in ending employment discrimination has been made under the existing West Virginia laws against discrimination. Banking and insurance, rail, bus, and motor freight transportation, light and heavy building and highway construction, are prime illustrations of industries wherein Negroes have made few, if any, gains in employment opportunities. Labor unions in the construction industry have not been helpful in this regard and may be a chief roadblock to an affirmative program to seek out Negro membership applicants. The retail industry can boast several or more stores in larger cities with Negro sales persons; elsewhere in those cities and throughout the state, Negroes are conspicuous by their absence in sales and other public contact jobs. Coal mining, which once had 35 to 55 percent of its workforce consisting of Negro workers, now has relatively few new Negro employees since the great workforce reductions of the early 50's. Outside the large steel plants of the northern counties, Negroes are not employed in numbers relative to the number of Negroes in the communities where the manufacturing industries of the state are located, and promotion for Negroes to supervisory and

top-skilled job classifications is still a rarity. Negro leaders charge the rich chemical industry with the worst record for Negro employment beyond the tokenism necessary to avoid noncompliance with Title VII of the U. S. Civil Rights Act of 1964.

The largest public utility and public communications companies do have affirmative fair employment policies and programs which have resulted in increased employment of qualified Negro workers, but on a statewide basis and for the many smaller facilities there have been little gains.

Whatever the more precise statistical picture might be, the Commission feels the lack of an enforceable employment discrimination law has only served to sanction and perpetuate employment practices which have ignored the Negro potential all over the state. Talented, capable, qualified Negro youth have left the state en masse and have obtained satisfactory employment in other states, thus depriving West Virginia of workforce skills and enhancing the labor force skills of the other states. Among Negro youth remaining, there is a growing sense of frustration and hopelessness which may build up to dimensions which have led to civic disorders and disaster throughout the nation unless the state and local governments take steps to provide and insure equal employment opportunities for all.

PUBLIC ACCOMMODATIONS

Title II, U. S. Civil Rights Act of 1964, seems to have eliminated racial discrimination in all the better restaurants and hotel/motel accommodations throughout the state. But in the many small

towns and rural areas of the state and in other than the first-class facilities, the Commission has reports from Negro leaders of incidents of discrimination. Local Negro victims of such discrimination are reluctant to file complaints for fear of being branded "trouble makers" in the community which might result in loss of employment for them or members of their families. Along one major highway in an upper county, local Negroes were well aware of motels which turned Negroes away and restaurants which offered only "take out" service to Negroes---but no complaints have been filed for fear of reprisal.

State, county, and municipal park and recreational facilities operate on a nondiscriminatory basis throughout the state. However, a good picture does not prevail in all sections of the state in privately operated public recreational facilities. Two gross examples are a swimming pool in the Charleston area and a Charleston roller skating rink, both of which seem not to be covered by the Federal law and which persist in denying admission to members of the Negro race. Golfing is open to Negroes in some areas, closed in other areas. One device is for a membership golf course to admit non-members to play upon payment of greens fee while denying similar admission to Negroes. High school golf teams exist in some areas for white students only, because the local golf courses and country clubs which encourage the growth of high school golf teams and young golfers by making their facilities available on weekdays, draw the line on Negro student golfers.

Bowling alleys seem to be nondiscriminatory throughout the state. At least not a single report of discrimination in bowling alleys has been called to the Commission's attention.

LOCAL HUMAN RELATIONS COMMISSIONS

Charleston, Fairmont, Huntington, Parkersburg, Clarksburg, Princeton, Williamson, Wheeling, Weirton have active municipal human relations commissions with functions and programming which have been helpful in promoting better human relationships in each community. Other communities have human relations commissions whose inactivity reflects the apathy and indifference of both the Negro and white citizenry. The West Virginia Human Rights Commission staff has been too small in number to service these communities on a continuing basis with program ideas and plans for progress. Thus, the concept of local solutions for local problems has not been implemented and for several of these smaller communities, as with the larger cities, there is a need for current efforts to improve employment and housing conditions for Negro citizens. Several of these smaller and less active human relations commissions should be cited and recognized here for what programs they have carried out. The Commission feels the very existence of these local commissions has been helpful in bringing about a public awareness which has led to some gains which will lead to still greater progress.

HOUSING

Housing has become the chief civil rights issue through the nation--- socially, politically, and legally. Why is this so?

First, there has been a steady increase in the extent and severity of housing discrimination against minorities generally, but particularly against Negroes. Nonwhite housing is worse than housing for whites on every count. The housing market is dominated by patterns of discrimination, and nonwhites, with few exceptions, are confined to the areas most in need of clearance and rehabilitation.

Minority groups are realizing the negative effects of housing segregation---that it produces segregation in education, recreation, and most other aspects of daily living.

The improved economic condition of nonwhites has resulted in increased pressure for better housing. The economic structure of the housing industry is such that a person who normally controls sales and rentals is not free to abandon the pattern of discrimination. An employer, hotel owner, or school superintendent who is persuaded to extend equal treatment to all applicants can usually put his decision into effect without too much interference from others. The land owner must reckon not only with neighbors and tenants but also with financial institutions which take an active part in directing the policies of those to whom they lend money, and with real estate brokers who seek to enforce their own beliefs as to where minority group families should live. Thus, it requires an assault on a very wide front to change occupancy patterns.

Example after example has been presented to the West Virginia Human Rights Commission by Negro citizens who have been denied decent housing of their choice in every part of the state despite their cultural and social respectability and financial ability to

afford such housing. The Commission has been powerless to act on formal complaints of housing discrimination and its educational efforts are of no avail to induce change from these all-engulfing patterns of residential segregation. The Commission has been informed of specific instances where Negro employees at professional, technical, and highly skilled occupational levels have left the state or refused to accept employment within the state because of intolerable housing conditions resulting from discriminatory practices. There are examples of community tensions and a growing potential for violence in those urban areas where highway and urban renewal projects have displaced Negro families whose relocation in still less desirable neighborhoods adds to the frustration that can lead to community disaster.

HOSPITALS

The Commission's professional staff visited various hospitals in the state to check for compliance with the U. S. Civil Rights Act of 1964. The West Virginia State Department of Health made its own check in this regard.

In August 1965, and March 1966, the Commission found several hospitals not in compliance with the Civil Rights Act. Segregated rooms, wards, and dining rooms were found. No Negro employees above the rank of orderly were found in many of these hospitals, indicating the existence of discriminatory patterns of employment.

The U. S. Civil Rights Act of 1964 (Title VI) and the Medicare Bill have been instrumental in causing hospital administrators to alter patterns of discrimination. The U. S. Office of Equal Health

Opportunity did find many examples of integrated wards and rooms when they visited various hospitals throughout the state.

The Commission has been in close contact with the Federal agency and will continue to observe the practices of all West Virginia hospitals.

This Commission has asked citizens of each community in the state to observe the practices of medical facilities in their area to bring about full compliance with the requirements for integration.

BARBER AND BEAUTY SCHOOLS AND SHOPS

The problem of integrating beauty and barber shops has yet to be solved statewide. However, the issue was faced "head-on" in Morgantown, West Virginia, by officials of West Virginia University late last year. The problem of discrimination in Morgantown barber shops had had an international impact due to the number of foreign students who had been subjected to unfortunate experiences. University officials induced the Barbers' Local Union No. 384, AFL-CIO in Morgantown to adopt a policy of nondiscrimination in service to customers. The Commission on January 20, 1966, made public the following commendation:

"The West Virginia Human Rights Commission commends the members of Barbers' Local Union No. 384, AFL-CIO and applauds their action in adopting a policy of nondiscrimination in service to customers. The action is indicative of a conscientious commitment to responsible statesmenlike conduct. We hope the example will be followed by other barbers throughout the state."

Other colleges in the state have had similar problems in communities which lack Negro barbers. Grafton and Clarksburg are two of the towns where there are no licensed Negro barbers. There are several

others. In these towns if a Negro wants a haircut, he must travel twenty-five miles or more to get a haircut from an unlicensed barber.

The Commission then tried to find out if the various barber and beauty schools in the state were open to all. The owners of all schools stated that they are opened to all. In March 1966, there were Negro students enrolled in several such schools.

EDUCATION

In general, considerable progress in integrating educational facilities and faculties has taken place throughout the state. But there are exceptions.

In May of 1965 the Commission filed a complaint with the U. S. Office of Education against the West Virginia State Board of Education. The basis of the complaint was the Board's continuing indifference to inadequate practice teaching opportunities for student teachers (Negro) at Bluefield State College. The Mercer County Board of Education had refused to place Bluefield College practice teachers in any but segregated schools. This practice left the college no choice but to double-up the number of teachers by cutting the actual teaching time per student teacher. There was some question about whether or not these students then could be properly certified after graduation.

The West Virginia State Board of Education had refused to act on this matter in spite of repeated requests from the Commission and the President of Bluefield State College. The Board contended it did not have the authority to direct the Mercer County Board in this regard.

An official of the regional office of the U. S. Office of Education at Charlottesville, Virginia, contacted the Commission office on September 2, 1965, and stated that a cutoff of Federal funds was indicated for Mercer County. This would have meant the withholding of student loan funds under the National Defense Education Act and also the curtailing of any building programs under the Housing And Home Finance Administration. Several hundred students at Bluefield State and Concord Colleges would be affected. The average loan per student is about five hundred dollars. School lunch programs would also be affected. The State Board of Education was notified by telephone the morning of September 3, 1965, during its regular meeting. The Board went into an immediate executive session at 11:35 AM and passed the following resolution:

"RESOLUTION RE STUDENT TEACHING"

"Upon motion duly made, seconded and carried, the Board hereby directs that in the assignment of student teachers to public schools for practice teaching by the colleges and universities under the jurisdiction of the Board, such assignment is not to be made to segregated schools."

--Minutes of Meeting
West Virginia Board of Education
September 2, 3, 1965

On Thursday, October 7, 1965, Executive Director Howard McKinney met in Princeton, West Virginia, with Mr. John Hays, Dr. Carl E. Seifert, and Mr. David O'Neal, Region Three, U. S. Office of Health, Education and Welfare, Charlottesville, Virginia, and with Mercer County Superintendent W. R. Cooke. Superintendent Cooke stated he had asked the State Board for an interpretation of the meaning of "segregated schools" pursuant to its resolution of September 3, and they had agreed that since Mercer County is following a "free choice" they do not have

any segregated schools. The Executive Director pointed out to the Department of Health, Education & Welfare that this would render the State Board's resolution of September 3 totally meaningless so far as the practice teacher situation was concerned. The point was made that so long as Bluefield State College students were assigned only to all-Negro schools for whatever reason, this would perpetuate segregation and therefore be in violation of Title VI.

On October 13, the Mercer County Board of Education agreed to allow Bluefield State College to place students in several additional schools. The County Board further agreed to assure the college of forty-five places for practice teachers.

McDowell and Raleigh County Boards of Education have agreed to take students who come from these counties. Tazewell County, Virginia, is also willing to accept some students. Integration in Tazewell is apparently quite complete this year, and the schools are offering all programs on a nondiscriminatory basis.

In September of 1965 the Commission checked on the impact of Title VI of the U. S. Civil Rights Law of 1964 relative to school desegregation upon the opening of the Fall term. The material was gathered from review of school plans, reports of field contacts in respective communities, and talks with the U. S. Office of Education.

In two counties, Mercer and Raleigh, law suits were brought by the State NAACP resulting in Federal court orders which take precedence and which prevent the U. S. Office of Education or other agencies from directing immediate and specific steps to desegregate. The

Human Rights Commission feels that this policy does not meet the general "Guidelines" published in March 1966 by the U. S. Office of Education and does not seem to be within the spirit and letter of the U. S. Civil Rights Act. The court orders for these two counties (Mercer and Raleigh) in no way deal with the issues of discriminatory assignment of teachers, for which both counties have maintained several schools with all-Negro faculties. Both have followed a policy of maintaining all-Negro faculties and have, over the years as other all-Negro schools were closed, reassigned Negro teachers to the remaining Negro schools with a very limited number of assignments of Negro teachers to integrated classrooms. Mercer County has permitted Negro students in the Central Junior High area to transfer to Genoa Junior High School and whites in the district of Genoa Junior High to transfer to Central Junior High in a manner to preserve the racial character of these two institutions. The Commission has requested the U. S. Office of Education to review this policy.

Wyoming County closed its remaining all-Negro schools, two elementary and one high school, with apparent satisfactory integration of Negro teachers. The principal of the Negro high school was given a position on the superintendent's staff. Two teachers were reported to have been given other than teaching assignments but were later placed as teachers.

Fayette County closed four all-Negro schools and zoned three others to result in some white attendance. In one case a white principal was designated, but faculties otherwise remained all Negro.

Another all-Negro school has been considerably reduced in attendance and a former principal has been assigned to an integrated school. Junior-senior high schools were integrated some years ago. It is worth noting that these two counties (Fayette and Wyoming) moved promptly to submit desegregation plans.

Mingo County closed one all-Negro school, and this was announced well in advance of any submission of a plan of compliance. One of the two Negro teachers involved was integrated into the neighboring school and the other was released as not having tenure, although she had a college degree and nearly one-half of the elementary teachers in that county did not and still do not have college degrees. The Mingo County plan, the last in the state to be approved, offered free choice to students in Williamson where there are two all-Negro schools--an elementary and a high school. The free choice plan apparently had little effect on enrollment in the high school. About fifty students left the Negro elementary school resulting in the loss of one teacher; the faculties of both remain all-Negro. One new Negro teacher was hired; a science teacher at Williamson High School. Thus, only two Negro teachers are teaching in integrated situations in the whole of Mingo County. Despite the requirements in the "Guidelines" of the U. S. Office of Education that steps must be taken to correct previous discriminatory assignment of teachers, plans were approved which made no provisions affecting the all-Negro faculty of either of the two schools. Pledges signed on August 19, 1965, that there would be no demotion or firing of Negro teachers were apparently not applicable to the teacher notified of her dismissal

in April due to the closing of the all-Negro school.

Also in Mingo County on September 23 and 24, 1965, the parents of the students at Liberty Elementary School (all-Negro) kept their children home from school in protest against the transfer of a Negro teacher to a two-room school approximately twenty miles from Williamson, West Virginia. The teacher held a masters degree in education from Columbia University and had completed some additional twenty-five to thirty hours of graduate work. It was felt by the Negro community the reassignment was not commensurate with this teacher's training and ability and was calculated to force her resignation rather than give recognition to a qualified Negro teacher. If this was the Board's purpose, it succeeded as this teacher left for employment with the Washington, D. C., Board of Education at a considerably higher salary.

Jefferson County closed its all-Negro high school, and two of its elementary schools (all-Negro) were integrated on a grade-level basis. The previous white school now houses grades one to five and the former Negro school grades six to seven. However, these units are treated as administrative units with a white principal in charge and the Negro principal as an assistant. A third all-Negro elementary school is scheduled for a similar type integration next year. Thus, all Negro principals were either retired or demoted as a result of these integration moves.

McDowell County closed two all-Negro high schools and at least nine elementary schools. There were also a number of changes in attendance zones and several consolidations; hence, the uncertainty as

to the exact number of schools closed. With changes in transportation patterns and free choice for students in some twenty-two districts, it has not been possible to determine in detail the impact of these changes. Apparently, transportation is offered only to the nearest school rather than in overlapping patterns as in previous years. In the situation of the Welch-Kimball High Schools, Negroes in Welch are, by and large, attending Welch High School and apparently about half of the white students in Kimball are attending Kimball High School resulting in about fifty whites in the previously all-Negro high school which continues to have an all-Negro faculty. There seems to have been a fair degree of teacher integration both at the elementary and the high school level. However, all Negro principals of the schools affected were demoted and none received any special assignment. The coach whose teams won the State Class A Basketball Tournament in March 1965 was assigned as a classroom teacher with no coaching duties. Apparently, both the Gary District High School and Gary District Elementary School are being used for the integrated schools, but in each case the Negro principal was offered only a classroom assignment.

An estimate based on last year's 1964-65 enrollment at the all-Negro schools in West Virginia would indicate approximately 4,500 Negro students still attending all-Negro schools and taught by all-Negro faculties. This is about half the number of the previous year.

While the first "Guidelines" of the U. S. Office of Education stated "steps shall also be taken for the elimination of segregation

in teaching and staff personnel in schools resulting from the prior assignment based on race, color, or national origin," the approved plans did not require concrete evidence that such had been carried out. All except one of the plans include pledges that future assignments will not be on the basis of race but none were required to take any specific action as to current assignments or projected assignments. (There is apparently nowhere in the Jefferson County plans any pledge concerning the future assignments of teachers on a nondiscriminatory basis. While there are no indications that present teachers will be assigned to the newly combined schools, no reference is made as to future assignments.)

None of these counties was required to take any specific steps to change all-Negro faculties in existing schools and only Mingo County's plans contained any reference to demotions. Letters supplied by the U. S. Civil Rights Commission indicate that the Office of Education in some situations included actual prohibitions against demotions for Negro teachers. Mingo County's plan is the only West Virginia plan to contain a pledge not to demote or refuse to rehire any person. This pledge was made on August 19, 1965, but apparently was not considered applicable to the firing of a teacher in April 1966 due to the closing of an all-Negro school.

The U. S. Office of Education in March 1966 issued a "Revised Statement of Policies for School Desegregation Plans Under Title VI of the Civil Rights Act of 1964." The new "Guidelines" superseded the General Statement of Policies issued in April 1965.

The purpose of the "Statement of Policies" applying to public elementary and secondary school systems undergoing desegregation to eliminate a dual school structure, is to set forth the requirements which voluntary desegregation plans must meet for the U. S. Commissioner of Education to determine that a plan is adequate to accomplish the purposes of Title VI.

Generally, the "Guidelines" state that:

1. It is the responsibility of a school system to adopt and implement a desegregation plan which will eliminate the dual school system and all other forms of discrimination as expeditiously as possible.
2. Any educational opportunity offered by a school system must be available to students without regard to race, color, or national origin.
3. Race, color, or national origin may not be a factor in hiring or assignment to schools or within schools of teachers and other professional staff, including student teachers and staff serving two or more schools, except to correct the effects of past discriminatory assignments.
4. Teachers and other professional staff may not be dismissed, demoted, or passed over for retention, promotion, or rehiring on the ground of race, color, or national origin.
5. The pattern of assignment of teachers and other professional staff may not be such that schools are identifiable as intended for students of a particular race, color, or national

origin, or such that teachers or other professional staff of a particular race are concentrated in those schools where all, or the majority, of the students are of that race.

6. Each school system is responsible for removing any segregation and any other form of discrimination affecting students in connection with all services, facilities, activities and programs (including transportation, athletics, and other extra-curricular activities) that may be conducted or sponsored by or affiliated with the schools of the system.
7. At no time may any official, teacher, or employee of the school system, either directly or indirectly, seek to influence any parent, student, or any other person involved, in the exercise of a choice, or favor or penalize any person because of a choice made.

The McDowell County Board of Education, which had the largest number of Negroes (2,261) attending all-Negro schools in 1965-66, on Tuesday, March 22, 1966, approved a sweeping plan for consolidation and integration for the 1966-67 school year. They agreed to close Maybury-Switchback, Elkhorn West, Northfork East, King-Carswell, Anawalt East, and Kerr Elementary Schools. Elkhorn and Kimball High School will be used for junior high classes.

The revised "Guidelines" have not yet been made applicable to those school systems operating under a Federal court order to desegregate. Thus, segregation problems remain in Mercer and Raleigh Counties both of which are under court orders less specific than the "Guidelines"

(Mercer - 1,165 students in all-Negro schools; Raleigh - 1,315).

FIRST GOVERNOR'S CONFERENCE ON HUMAN RIGHTS

The First Annual Governor's Conference on Human Rights was held at the Holiday Inn, Charleston, West Virginia, on December 16, 1965. In attendance were 170 persons from all areas of the state and various officials of local, state, and Federal government.

Governor Hulett C. Smith issued an executive order on this date against discrimination in state employment and by private firms doing business with the state. He said that the order is a "definite step toward finalizing and putting finishing touches on programs that have been quietly underway for years," adding that it "strengthens our state's position on nondiscrimination and reinforces a 1962 executive order by former Governor Barron."

He further stated that all department heads and those responsible for hiring employees "shall conform to the policy of his administration, that is, such selections and recommendations on the hiring of government workers shall be made on no other basis than competence."

He noted that the order requires assurance of compliance in non-discriminatory employment of personnel from all vendors, suppliers of goods or services, contractors, sub-contractors and any other persons doing business with the state.

"With the creation of the West Virginia Human Rights Commission, the passage of civil rights legislation in Congress and the implementation of executive orders in the State Capitol, there can be no question of West Virginia's position in the field of human rights," the Governor said.

He commended West Virginians for progress made in the field of human rights and said it had been taking place "without violence, with very few demonstrations and with remarkably little bitterness."

But he said, "While we may indeed have more integration in our schools than any of the seventeen states that required segregated schools prior to 1954, we cannot be satisfied if even one child is 'Jim Crowed' in his education."

Under the order every state agency is required to file an annual report with the Human Rights Commission and cooperate with the Commission in the investigation of any complaints alleging discrimination on the basis of race, sex, religion, or national origin. The first report was due in sixty days.

Governor Smith said, "Prejudice remains in some areas and exists in the hearts and minds of men despite laws enacted. But I would also remind you that a sense of fairness and goodwill exists in the minds and hearts of men."

The Conference opened with an address by Mr. Frank S. Caracciolo, Director of Education Program, Office of Technical Assistance, Equal Employment Opportunity Commission, Washington, D. C. He stated the Equal Employment Opportunity Commission is launching a program to organize Merit Employment Councils among employers in sixty cities to which businessmen can come together and help focus the efforts of the government where these efforts will do the most good. These Councils will bring together people with available jobs and those who need jobs.

Mr. James H. Harvey, Director of Metropolitan Washington Housing

Program of the American Friends Service Committee, told a luncheon meeting, "Open occupancy would promote equal job opportunities and school integration. The experience of living together can be a major force in bringing an end to racial prejudice," he said.

Afternoon workshops on employment and housing problems brought forth lively discussions which resulted in a closing session resolution calling for the enactment of a state fair employment law and fair housing law.

THE NEW YEAR'S INCIDENT IN HUNTINGTON, WEST VIRGINIA

The incident at the Keith-Albee Theatre took place at the midnight show on New Year's Eve. It involved about 2,000 teenagers, a general melee, considerable racial tension, charges of police brutality, and public hearings by the Huntington Human Rights Commission.

The staff of the West Virginia Human Rights Commission went to Huntington on New Year's Day, and one or both of the staff persons was actively investigating each day for about two weeks.

The evidence of racial antagonism was considered to be greater than the initial reports indicated. Several suggestions were made for:

1. Positive action to improve the city's commitment to civil rights.
2. Concerted community efforts to get an ACTION program underway, particularly the Youth Maximization Section. (This was

done, and presently the ACTION program is doing fine work to improve the neighborhood in many ways.)

3. Development of educational programs to combat prejudices among high school and teenage youth.
4. Marshalling of community resources to improve housing conditions for Negroes, including equal access to housing outside the ghetto. (ACTION is trying to work in this area also.)
5. Careful review of employment practices in the community, particularly "starting jobs" and others of minimum skills, with extensive efforts to increase employment opportunities for out-of-school Negro youth.

The West Virginia Human Rights Commission feels the local Huntington Human Rights Commission is to be congratulated for its efforts during this very tense and trying period. By its long hours of service in an honest attempt to learn what actually happened, and by refusing to be stampeded into hasty decisions, it offered the community the release valve of providing channels of communication among all segments of the community to promote understanding when it was needed most.

LAKIN STATE HOSPITAL

The American Federation of State, County, and Municipal Employees, AFL-CIO, Local #844 (Lakin State Hospital) passed a resolution on March 29, 1966 charging the hospital administration with racial discrimination. This resolution was sent to Governor Smith. The Governor asked the Commission on Human Rights on April 4, 1966, to investigate and report on the matter contained in the resolution.

This was a highly explosive situation fraught with racial tension which had been building up for several months. Many believed as follows: 1) The Mason County Grand Jury report on Lakin State Hospital in October 1965 had been racially motivated; 2) the alleged actions of the hospital administration were a part of the same racial motivation, i. e., to remove Negroes from the hospital, particularly those employed in administrative positions.

After twelve continuous hours, the following was decided:

"The charges made in the Lakin State Hospital situation will be held in abeyance for sixty days while all parties attempt to work out satisfactory arrangements. This abeyance is made without making any judgement on the truth or falsity of the charges but rather because the Commission believes that constructive steps can and will be taken by the parties involved."

There were to be regular meetings between the complainant organization officers and the hospital administration. Reports of progress were to be made to the Commission at regular intervals.

In the months that followed, an honest attempt was made by both sides to arrive at mutually acceptable solutions. The racial tension was eased and there was a refreshing change in working conditions for all employees of the hospital. All subsequent reports indicated a satisfactory working relationship had been established between both groups.

(At the Commission's regular meeting on November 29, 1966 it was decided that this case should be formally closed, and appreciation was expressed to both parties for the cooperation and understanding

which brought about this mutually satisfactory adjustment of the original grievances and a wholesome atmosphere for preventing or dealing with problems of this nature presently and in the future.)

In summary of its year's work, and with the Lakin situation as but one example, the West Virginia Human Rights Commission feels its program of education and conciliation in cooperation with employers, labor organizations, state and local government agencies and institutions, and with state and local public and private human rights organizations, commissions, and councils, has been helpful in maintaining a climate of goodwill and progress in human rights throughout the state. The Commission feels this climate of public opinion and the tradition of freedom for all West Virginians cherished by all West Virginians has set the stage for enactment of more meaningful legislation to guarantee the constitutional rights of all citizens for equal opportunity in employment, places of public accommodations, and housing regardless of race, religion, color, national origin, ancestry, sex or age.

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FILMS FOR HUMAN RIGHTS

The West Virginia Human Rights Commission has available ten films dealing with human rights. We are happy to lend these to any group in the state that would like a program or a discussion in the area of human rights. The films are all 16mm sound, and are available from the Commission office without charge, except for return postage.

While the films carry their own message, a discussion following the showing may help to clarify the ideas and values which the films portray.

A description of the films follows:

BOUNDARY LINES

Time, 11 1/2 minutes. Color. Explores various imaginary boundary lines that divide people from each other. Dramatic use of color, cartoons, art and music make an appeal for greater understanding among all peoples. Recommended for adults and secondary school level.

BROTHERHOOD OF MAN

Time, 10 1/2 minutes. Color. An animated cartoon that reveals the scientific facts that all people are essentially alike. Based on a Public Affairs Pamphlet, The Races of Mankind, by Ruth Benedict and Gene Weltfish. Recommended for all age levels beginning with the fourth grade. (This is also available in a 35mm film strip with a text that can be read by a narrator.)

ONE GOD

Time, 33 1/2 minutes. Black & white. The rituals and ceremonies of the Jewish, Roman Catholic, and Protestant religions, using material and musical background and descriptive narrative. Illustrates similarities and differences of all three faiths. Recommended for all age levels.

NO MAN IS AN ISLAND

Time, approximately 29 minutes. Black & white. Produced by CBS Television. Following the war, the friendship between a Negro and white soldier is resumed when the Negro soldier, Paul, is awarded a scholarship to a mid-western college located in the hometown of his army friend, George. The close friendship is immediately disturbed by the uneasy

(NO MAN IS AN ISLAND, cont'd.)

attitudes of George's girl friend, family and friends, when Paul is asked to join their church and other social activities. Recommended for adults and secondary school level.

A DAY IN THE NIGHT OF JONATHAN MOLE

Time, 32 minutes. Black & white. Produced by McGraw-Hill Book Company. This film seeks to examine some of the attitudes and stereotypes that accompany prejudice and discrimination. Jonathan Mole is a bitter, bigoted man who one night dreams that he is the Lord Chief Justice in an imaginary land presiding over the trials of a Jew, an immigrant and an Indian who have sought to enter occupations reserved for native-born Christian Caucasian majorities.

WHEN I'M OLD ENOUGH, GOODBYE!

Time, 28 minutes. Black & white. Produced by Louis de Rouchmont Associates. What happens when a youngster drops out of school is vividly dramatized in the story of Doug, an ambitious, friendly boy who leaves school with high hopes of independence and luxuries that money can buy. This boy is not a juvenile delinquent. He is willing to work hard, but in today's job market he is unable to compete because he lacks both the minimal of skill and education.

A MORNING FOR JIMMY

Time, 28 minutes. Black & white. A story of a young Negro boy who encounters racial discrimination while seeking employment. He learns a lesson for the future. Jimmy becomes aware that with proper education and training, he can obtain employment in the field of his choice. Particularly valuable to and recommended for young people, parents, and counselors.

PROPERTY VALUES & RACE

Time, 24 minutes. Black & white. What happens to property values when nonwhites move into a neighborhood? Some assert that values go down---others say that there is no change. What are the facts? Based upon the exhaustive study made by Dr. Luigi Laurenti---over 10,000 home sales analyzed. Produced by the Council for Civic Unity of San Francisco.

TO FIND A HOME

Time, 27 minutes. Black & white. Depicts the disheartening efforts

(TO FIND A HOME, cont'd.)

of skilled and professional Negroes to find adequate housing. While a few landlords are willing to rent, the reason offered by many others indicate the depth of prejudice that blocks the families' search. Produced by the University of Wisconsin.

CHALLENGE

The Illinois State Chamber of Commerce has produced this film to help companies train their personnel in meeting fair employment requirements. Guided by a philosophy that it is good business to face the challenges of the law with clear and precise procedures, the film seeks to spell out these procedures and how to implement them. Time, 30 minutes; black & white.

THE ROAD AHEAD

Time, 30 minutes. Black & white. Produced by the National Urban League. This film describes young Negro man who hesitates at taking a beginning job for fear it is a "Negro" job. His girl friend convinces him that he must start at the bottom and work his way up, which he does with some success. His white companion is a high school dropout with a series of dead-end jobs who finally goes to night school so he can qualify for beginning jobs with the same chance for future success.

DIRECTORY OF FEDERAL AGENCIES

Equal Employment Opportunity Commission
1800 G Street, N. W.
Washington, D. C. 20506
Telephone - Area Code 202 -- 343-8095
Mr. Stephen N. Shulman, Chairman

U. S. Commission on Civil Rights
1701 Pennsylvania Avenue, N. W.
Washington, D. C. 20425
Telephone - Area Code 202 -- 393-3111
Mr. William L. Taylor, Staff Director

Community Relations Service
U. S. Department of Justice
Washington, D. C. 20230
Telephone - Area Code 202 -- 967-3157
Mr. Roger Wilkins, Director

President's Committee on Equal Opportunity
In Housing
216 Executive Office Building
Washington, D. C. 20506
Telephone - Area Code 202 -- 465-1414
Governor David Lawrence, Chairman (deceased)

Mr. John H. Kamlowky, U. S. Attorney
Northern District of West Virginia
Post Office Box 88
Wheeling, West Virginia

Mr. Milton J. Ferguson, U. S. Attorney
Southern District of West Virginia
Post Office Box 1239
Huntington, West Virginia