

FAIRFAX COUNTY SCHOOL BOARD

9th Meeting - September 20, 1955

Special Meeting

The meeting was called to order at 8:00 P.M. by the Chairman, Robert F. Davis. The following Board members answered roll call: Richard E. Shands, Robert W. Darr, Floyd Kirby, and Robert F. Davis. Mr. Shands offered opening prayer. Fred W. Robinson entered at 8:25 P.M. Almorine M. Crowther and Harry A. Lee were absent.

Mr. Hayes, of Hayes, Seay, Mattern & Mattern, Architects, was present for the opening of bids on addition to the Belvedere School. Mr. Fraser, Government representative, was also present since there is Federal aid on this project. The Board agreed it would make no contract award while bidders were present, but would take time to deliberate. No bidders present, or architect, had any questions. Bids were submitted as follows:

<u>Bidders and Bid Bond</u>	<u>Amt. of Bid</u>	<u>Completion Time Calendar Days</u>
Aikens Construction Co., Winchester, Va. New Amsterdam Gas. Co. - \$3,500	\$67,900	200
L. R. Broyhill, Arlington, Va. Glen Falls Ins. Co. - 5% of bid	\$76,235	180
E. H. Glover, Falls Church, Va. Fid. & Dep. Co. of Md. - 5% of bid	\$64,233	160
Earl K. Rosti, Falls Church, Va. Fid. & Dep. Co. of Md. - 5% of bid	\$63,400	165
Eugene Simpson & Bro., Alex., Va. Indem. Ins. Co. of N. America - 5% of bid	\$64,807	180
Wayne Construction Co., Arlington, Va. Seaboard Surety Co. - 5% of bid	\$65,888	150
Whitener and Skillman, Arlington, Va. Seaboard Surety Co. - 5% of bid	\$65,487	180

Allocation for this project is \$80,500. After discussion on bids submitted, Mr. Darr moved that contract award for the construction of 4-room addition to the Belvedere School be made to low bidder, Earl K. Rosti, in amount of \$63,400, subject to final approval by the administration and the appropriate Federal agencies. Mr. Kirby seconded the motion and it carried.

It was explained to the Board that another gas tank installation was necessary to expedite service to buses. Mr. Darr moved that installation of another gas tank at an appropriate place on Ammandale High School property, at no cost to the School Board if possible, be approved. Mr. Shands seconded the motion and it carried.

Mr. Robinson entered at 8:25 P.M.

Discussion centered on the need for six more school busses, as explained by Mr. Ebhardt, Supervisor of Transportation. It was generally agreed additional busses were needed, but further consideration as to where the funds could be obtained for such purchase was postponed until after hearing of delegation present.

Mr. Harley Williams, and other members of The Virginia Citizens' Committee for Better Schools, and Mrs. Cuba Curtice, were present to protest Chairman's appointment of a Board member to head up "Committee on Desegregation", objecting most strenuously to the implication that the Board was working towards integration in the Fairfax County schools. Mr. Davis assured the group it was not his intent that any action be taken by any of the committees appointed but that they merely function to keep the Board advised of developments in the various problems the Board has

to deal with, and further that appointment of desegregation committee was with no intention of desegregating schools.

Mr. Williams distributed copies of Article 2 of his organization's Constitution, which includes 14 sections of Educational Principles.

Mr. Paul Sweeney, Chairman of the group's Liaison Committee, read resolution adopted at committee meeting, as follows:

"WHEREAS, The members of the Virginia Citizens' Committee for Better Schools believe that the citizens and the laws of Virginia determine the type of public education of the children; the right of parents and guardians to direct the upbringing and education of the children; and they further believe that any attempt by means of a court decision to take from the State powers that are legally and constitutionally vested in it as a part of its sovereignty and reserved powers is an unwarranted usurpation of power.

BE IT THEREFORE RESOLVED, that this body does not recognize that the Fairfax County School Board has authority to appoint any Desegregation Committee, inasmuch as the power of the State of Virginia to segregate the races in the public schools has long been a part of its sovereign and reserved powers, and no court, including the Supreme Court, has power to invade and nullify these sovereign powers, and that this body demands the Fairfax County School Board, as an agency of the Commonwealth of Virginia, rescind its action in appointing, contrary to our Constitution and laws, the Desegregation Committee."

Mrs. Cuba Curtice read a petition, signed by 75 persons, as follows:

"On Sept. 7, 1955, the Washington Post and Times Herald, page 44, carried a headline 'Integration Study Group for Fairfax'. The news account of a meeting of the Fairfax County School Board held on Sept. 6, 1955 by Marie D. Smith. This account stated that the board authorized the appointment of a bi-racial citizens committee to study integration of the county schools. That Fred W. Robinson of Herndon was named chairman of the group and Robert Walker, director of information and surveys, was made a member of the committee. Other members are to be appointed by Chairman Robinson. This news account also reported that this committee was one of 13 authorized to advise the board on sundry matters.

"The undersigned citizens of Fairfax County desire to know before these committees start functioning whether their creation was authorized by a formal vote of the board, and if so, upon whose motion and whose second the motion was put, and the vote thereon.

"If there was no motion and no resolution adopted, we desire to know whether the chairman, Mr. Davis, announced the appointment of the committees.

"Efforts to obtain this information, which we feel we are entitled to, have failed; and the recording secretary has stated that the requested information will not be available for several weeks.

"The undersigned feel that we are entitled to an immediate answer to these questions, and by way of anticipation to a revelation to the true facts surrounding this meeting have this to say:

"1. That the members of the School Board have taken an oath to support the Constitution of Virginia which prohibits the teaching of white and colored children in the same schools.

"2. That until the Constitution of Virginia has been amended by the people of Virginia, in the manner provided by law, it is ultra-vires for the School Board of Fairfax County, its Chairman, or any committee of its selection, to take any action in contravention of said Constitution of Virginia.

"3. We further state in our opinion the Chairman of the school Board has no power, ex officio, to create and appoint committees and that any such action taken by him is null, void and of no effect.

"4. In an honest effort to make unnecessary expensive litigation to determine whether the appointment of the committee on integration above mentioned, was a valid one, the undersigned citizens respectfully request that this matter be referred to counsel learned in the law for a prompt opinion, and that in the meantime no action of any kind be taken by the committee, pending the opinion of counsel.

"5. Another question which the undersigned would like to have answered is whether, assuming that the School Board has the power to appoint such a committee as has been created, whether the Board can delegate to such an unofficial committee, the right to advise the Board as to its legal and constitutional duties and responsibilities.

"The undersigned feel that the management and control of the public schools of Virginia are to be determined at the state level by the executive, legislative, and judicial branches of the state government and are not matters falling within the jurisdiction of local school boards.

"If individual members of local school boards are not in sympathy with the provisions of the Constitution they have sworn to support, their remedy is to seek a constitutional amendment on their individual responsibility.

The crux of the matter seemed to be changing the name of the "Desegregation" committee. Mr. Davis therefore requested suggestions. The group agreed on the name "Committee on Segregation" and Mr. Davis therefore renamed "Desegregation Committee" the "Committee on Segregation".

Mrs. Shands offered resolution as follows providing adequate supervision of construction on the Wakefield Forest addition:

WHEREAS, In accordance with Section II(f) of Virginia State Department Regulations, local school boards are required to certify to the State Board of Education through proper resolution that adequate supervision of school construction will be provided; and

WHEREAS, It always has been and continues to be the firm conviction of the Fairfax County School Board that economy in school building construction can be maintained only when adequate supervision of building construction is provided.

THEREFORE, BE IT RESOLVED, That the Division Superintendent of Schools of Fairfax County advise the State Board of Education that this Board will maintain adequate supervision of the construction of the addition to the Wakefield Forest School.

Mr. Shands moved adoption of resolution as offered, which motion was seconded by Mr. Darrand carried.

Discussion returned to financing of bus purchases. Six new busses would cost approximately \$25,000, plus additional costs of operation such as drivers' salaries, etc. There was no budgeted amount to cover this proposed added expense.

Because of enrollments of approximately 1800 children over estimates, budget appropriation for teachers' salaries is also overrun, as well as other items of the budget influenced by this unanticipated enrollment.

The administrative staff was instructed to prepare revised budget estimates in the light of ultimate enrollment for the 1955-56 session for a determination of what additional appropriation will be necessary to carry these unanticipated expenditures.

The Superintendent was also instructed to prepare recommendations for the assignment of architects to prepare plans for school buildings first to be constructed with proposed bond issue funds.

Board was asked to consider contract for the purchase of high school and elementary site in the Hollin Hall School area. Mr. Robinson moved that the Board of Supervisors be requested to advance the necessary funds, against anticipated bond sales, for the purchase of 32 acres of land on Sherwood Hall Road near Hollin Hall. Mr. Darr seconded the motion and it carried.

Mr. Hamill, Agent, was present for discussion of fire insurance. Several proposals were presented to the Board, providing varying degrees of coverage. After some discussion, Mr. Darr moved that the Committee of the Board on Finance study the overall insurance picture and make recommendation to the Board. Mr. Robinson seconded the motion and it carried.

Board members were urged to attend Virginia School Boards Association Northern Region meeting Thursday, September 29, at 5:45 P.M., at the Osbourn High School, Manassas, Virginia.

Mr. Darr moved that the meeting adjourn. Mr. Shands seconded the motion and it carried.

The meeting adjourned at 10:15 P.M.



CHAIRMAN



CLERK