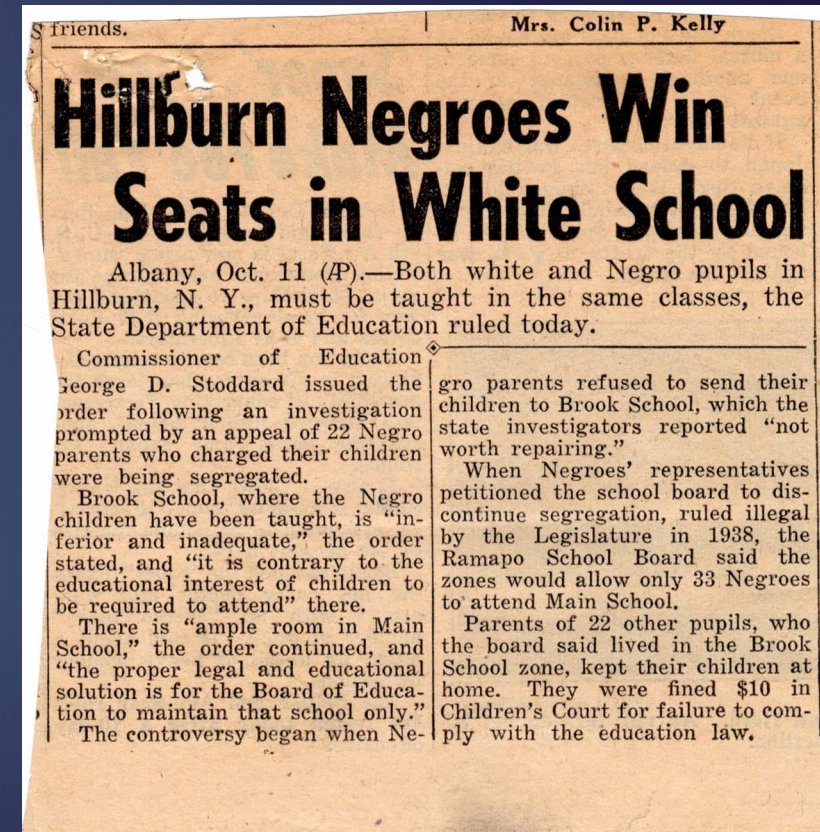


# Separate and Unequal in New York State

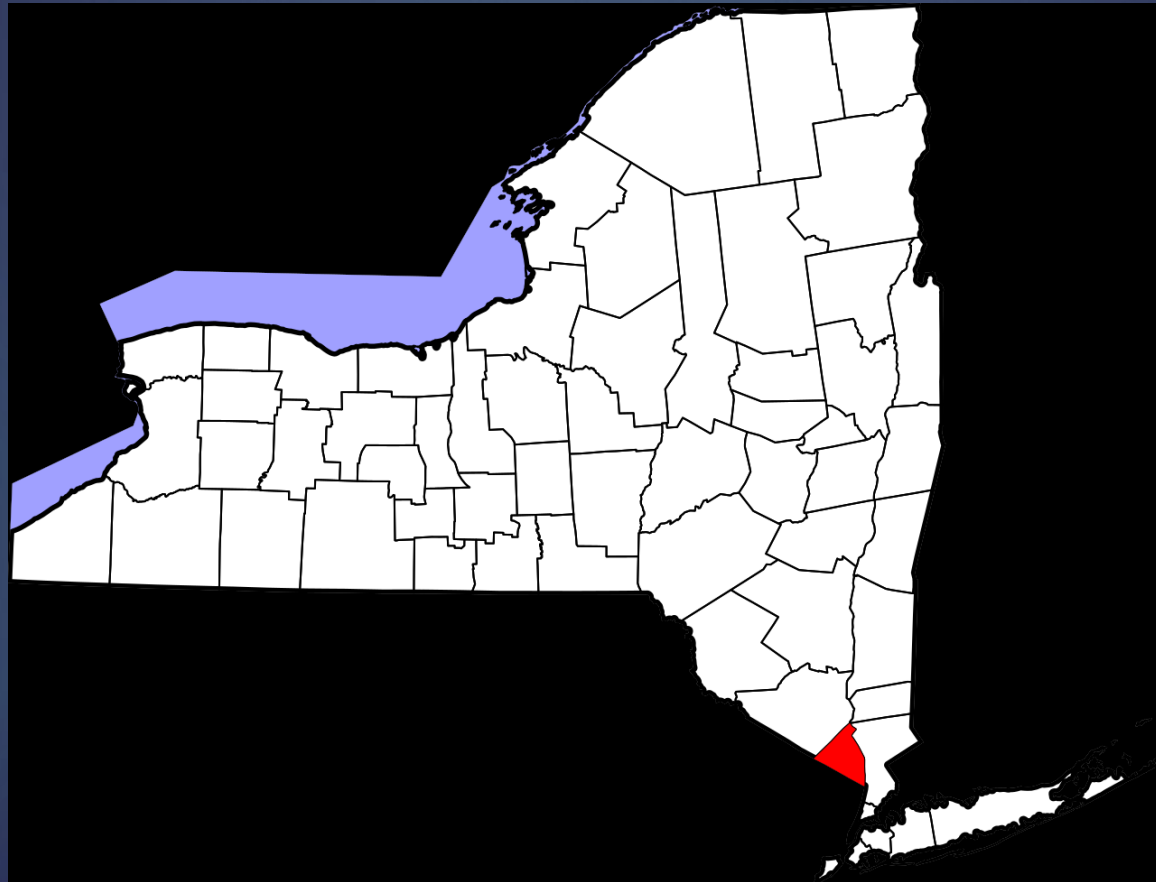
THE PATH TO DESEGREGATION IN HILLBURN, NEW YORK

A GRADE 8/11 INQUIRY

<https://primarysourceinquiries.weebly.com/civil-rights.html>



# Where is Hillburn, NY?



# Setting the Stage

- ▶ Brown v. Board of Education, Topeka (1954)  
<https://ny.pbslearningmedia.org/resource/b7bc564e-7966-4d7c-b534-de1f089e7949/civil-rights-movement-educational-equality/#.WnCZuK6nFp8>
- ▶ Discuss segregation and inequality in education
- ▶ Discuss the role of the individual in bringing about change

# Compelling Question

- ▶ How do individuals change society?
- ▶ **8.9 DOMESTIC POLITICS AND REFORM: The civil rights movement and the Great Society were attempts by people and the government to address major social, legal, economic, and environmental problems. Subsequent economic recession called for a new economic program. (Standards: 1, 4, 5; Themes: TCC, SOC, CIV, ECO)**
- ▶ 8.9a The civil rights movement began in the postwar era in response to long-standing inequalities in American society, and eventually brought about equality under the law, but slower progress on economic improvements.
- ▶ **A. Gathering, Interpreting and Using Evidence**
- ▶ 3. Analyze evidence in terms of historical context, content, authorship, point of view, purpose, and format; identify bias; explain the role of bias and audience in presenting arguments or evidence.
- ▶ **F. Civic Participation**
- ▶ 4. Identify, describe, and compare the role of the individual in social and political participation in, and as an agent of, historical change at various times and in various locations in colonial North America and in the early history of the United States.
- ▶ 6. Identify situations in which social actions are required and determine an appropriate course of action.

# Supporting Question #1



- ▶ What problem did the citizens of Hillburn, New York face in the fall of 1943 and how did they respond to the problem?



# Additional Support

Commissioner of Education: Person in charge of all schools in New York State

Petitioner: A person or group that wants to change something locally



Race/color can't stop people from attending public schools

Everyone is allowed in a public place. Schools are a public place.

TO THE COMMISSIONER OF EDUCATION:  
Your petitioners herein are residents of the village of Hillburn, Rockland County, New York, and citizens of the United States and of the State of New York. They are tax payers contributing to the general fund which supports the public schools in Rockland County.  
Each of the petitioners is a parent of a child or of children of public school age. There are two schools in the village of Hillburn, commonly called the Main School and the Brook School, both of which are alleged to be under the jurisdiction of the Board of Education of Central School District Number 1 of the town of Hempstead. Petitioners are all Negroes.  
Over a long period of years the aforesaid Board of Education maintained the practice of placing all Negro elementary school pupils of Hillburn in the Brook School, and the white elementary school pupils of Hillburn in the Main School. Negro pupils were excluded from the Main School and white pupils were excluded from the Brook School.  
This practice of segregation was in violation of section 92B of the Education Law, which provides as follows:  
"No person shall be refused admission into or be excluded from any public school in the State of New York on account of race or color."  
This practice was also in violation of section 40 of the Civil Rights Law, which provides:  
"All persons within the jurisdiction of this state shall be entitled to the full and equal accommodations, advantages, facilities and privileges of any place of public accommodation... A place of public accommodation... within the meaning of this article, shall be deemed to include public libraries, kindergarten, primary and secondary schools, high schools..."  
On September 8, 1943 the Negro pupils in Hillburn refused to attend Brook School to which all of them had been assigned. After this became publicly known, on the evening of September 8, 1943 the aforesaid Board of Education adopted the following resolutions:

What is the Commissioner of Education in charge of?

Define segregation:

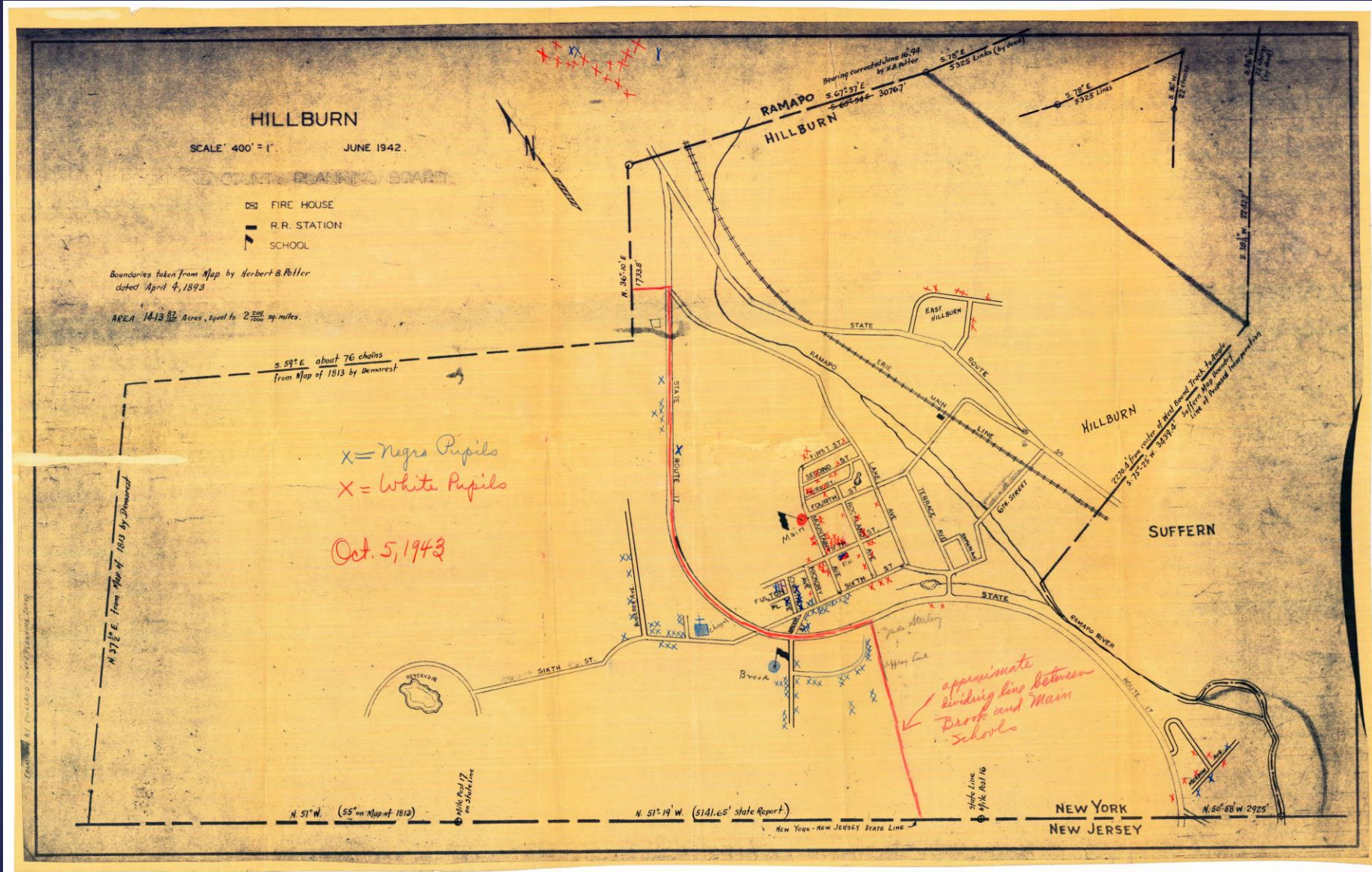
How was segregation being applied?

Which students attend the Main school and which students at the Brook School? Summarize the NYS law:

Summarize the Civil Rights law:

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# The Evidence



Courtesy: New York State Archives



# Supporting Question #2

- ▶ How did the New York State Commissioner of Education respond to the citizens of Hillburn?

# The Decision

Friends. Mrs. Colin P. Kelly

## Hillburn Negroes Win Seats in White School

Albany, Oct. 11 (AP).—Both white and Negro pupils in Hillburn, N. Y., must be taught in the same classes, the State Department of Education ruled today.

Commissioner of Education George D. Stoddard issued the order following an investigation prompted by an appeal of 22 Negro parents who charged their children were being segregated.

Brook School, where the Negro children have been taught, is "inferior and inadequate," the order stated, and "it is contrary to the educational interest of children to be required to attend" there.

There is "ample room in Main School," the order continued, and "the proper legal and educational solution is for the Board of Education to maintain that school only."

The controversy began when Negro parents refused to send their children to Brook School, which the state investigators reported "not worth repairing."

When Negroes' representatives petitioned the school board to discontinue segregation, ruled illegal by the Legislature in 1938, the Ramapo School Board said the zones would allow only 33 Negroes to attend Main School.

Parents of 22 other pupils, who the board said lived in the Brook School zone, kept their children at home. They were fined \$10 in Children's Court for failure to comply with the education law.

TUESDAY, OCTOBER 12, 1943.

## Negro School in Hillburn Closed By Order of State Education Head

### Pupils to Attend Near-By Institution With Ample Facilities, Ending Segregation That Has Existed Since 1889

Special to THE NEW YORK TIMES.

ALBANY, Oct. 11.—Dr. George D. Stoddard, State Commissioner of Education, disposing of a charge of racial segregation of pupils in School District 15, Town of Ramapo, Rockland County, ordered today that the central district Board of Education close the Brook School in Hillburn, since 1889 used exclusively by Negro children. He directed that the children of the district, white and Negro, attend the Main School, which he said had adequate facilities for all.

Dr. Stoddard heard arguments last week by parents of the Negro children appealing from a zoning line drawn by the local board which, the appellants contended, had the effect of continuing the segregation and contravening the law.

#### Effect of New Zoning

The commissioner's decision did not make clear whether he believed the board had drawn the district lines for the purpose of segregation but he said the effect of the present line between the Brook School zone and the Main School zone "is to maintain the Brook School entirely for Negro children."

"A slight revision of this dividing line," he added, "through the utilization of State Highway No. 17 as a boundary for the full length of the district, would remove the issue of segregation in so far as it is contained within the matter of zoning."

Dr. Stoddard pointed out, however, that there was an additional problem in the case in that the removal of seventh and eighth grade children from both schools last year, and their assignment to the high school in Suffern, "depleted materially the number in both these schools."

"The Main School has eight classrooms," he said. "The Brook School has four classrooms, and its appointments are inferior and inadequate. The building is not worth repairing. It is consequently uneconomical for this district to provide two schools with the extra costs of heating, lighting, cleaning services and supervision. At present the supervisors of music, art, nurse and dental hygienist must travel from one school to the other in order to give service.

"Under the circumstances, it is contrary to the educational interests of children to be required to attend the Brook School. There being ample room in the Main School, the proper legal and educational solution is for the Board of Education to maintain that school only.

"The appeal is granted. It is ordered that the Board of Education provide educational facilities for all the children in this area at the Main School."

#### Parents Balked at Change

After the drawing of the new district lines by the Board of Education, parents of many Negro children, refusing to send them to the Brook School, were brought into court on charges of violating the school attendance law. Several were fined.

Dr. Stoddard, after hearing arguments last week, sent the director of the School Buildings and Grounds Division and the director of the Law Division of the State Education Department to investigate the conditions charged.

Since 1889, he said, the school district in question had maintained two elementary schools, with the Negro children assigned

Continued on Page Thirty

## ALL NEGRO SCHOOL IS CLOSED BY STATE

Continued From Page Twenty-nine

to the Brook School and the white children to the Main School. During most of that period, he explained, the statute authorized local school boards to maintain separate schools for Negro and white pupils, but this authority was repealed by the 1938 Legislature.

"Nevertheless, the schools referred to above were continued as formerly until this September," Dr. Stoddard said, "when representatives of the Negroes petitioned the Board of Education to discontinue the segregation. The board had the local choice of closing one school and assigning all the pupils to the other or maintaining both schools and zoning the areas involved. It elected the latter.

"It is well established that it lies within the power of a Board of Education, when it has more than one school, to establish zones determining the school which a child shall attend. This zoning must be legal and reasonable and, if unreasonable, is subject to readjustment upon appeal to the Commissioner of Education, but a Board of Education may not set up a line or a zone which has for its purpose racial segregation. If the lines are reasonably drawn the fact that most or all the schoolchildren are of one race or another race does not render the zoning illegal."

Dr. Stoddard pointed out that thirty-three of the hundred children registered in the Main School were Negroes, but that in the case of the Brook School it appeared that all the children of school age residing in the zoned area were Negroes.

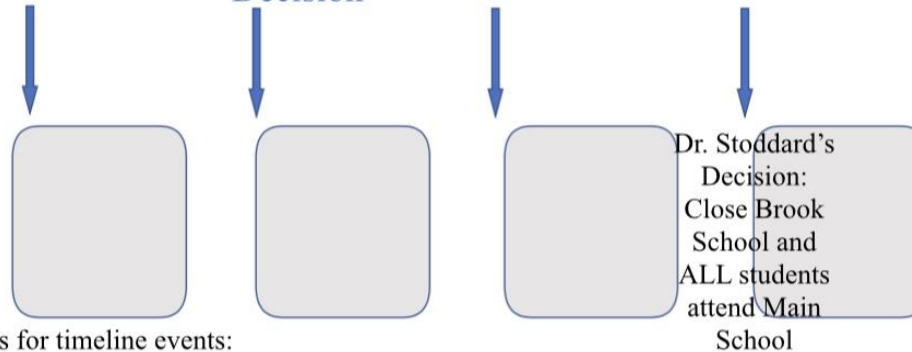
# Additional Support

Overall Question: According to the article, was Dr. Stoddard's decision based on the Board of Education's new district zoning being used as a segregation tactic? Provide evidence to support statement.

Directions for reading, "Negro School in Hillburn Closed by Order of State Education Head": 1. Source Document, 2. First read for main idea, 3. Second read- annotate text and fill in graphic organizer.

## Timeline of Events Leading to Dr. Stoddard's

Decision



Options for timeline events:

1. The Board of Education rezoned district- BOE designated a new road as a cutoff location, students living on one side go to Main and on the other Brook
2. Parents of students forced to attend Brook, but refused to send them were fined
3. Petition was made by parents of students forced to attend the Brook School

# Supporting Question #3

- ▶ How did the people of New York State respond to the Commissioner's decision?

# The Support

**CLASS OF SERVICE**  
This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

## WESTERN UNION

1201 SYMBOLS

A. N. WILLIAMS PRESIDENT      NEWCOMB CARLTON CHAIRMAN OF THE BOARD      J. C. WILLIAMS FIRST VICE-PRESIDENT

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AB27 60 3 EXTRA=SCHENECTADY NY 13 113P  
DR GEORGE D STODDARD=  
COMR OF EDUCATION=  
BY YOUR DECISION IN THE HILBURN SCHOOL CASE  
THE BASIC PRECEPT OF OUR DEMOCRACY AND HAVE  
AND DETERMINATION TO THE STRUGGLE OF OUR NA  
DISCRIMINATION AND THEORIES OF RACE SUPREME  
BREEDING GROUNDS OF FASCISM ACTION SUCH AS  
UNITE THE AMERICAN PEOPLE IN THIS PEOPLES  
COMMUNIST PARTY CAPITOL DISTRICT ART

BARY.

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING

HIGH SCHOOL TEACHERS ASSOCIATION  
OF NEW YORK CITY INCORPORATED

130 W. 42 STREET ROOM 602  
NEW YORK CITY WISCONSIN 7-2608

RACHEL EVANS ANDERSON • PRESIDENT  
ANDREW JACKSON HIGH SCHOOL • ST. ALBANS, I. I.  
November 29, 1943

*Rec  
Ad Mr. Stoddard*

Dr. George Stoddard  
Commissioner of Education  
Albany, New York

My dear Dr. Stoddard:

The Teachers' Interest Committee of the High School Teachers Association has been making a study of discrimination on the basis of creed and color made by employers using the placement bureaus in our high schools. Consequently, we are very much interested in your recent decision to outlaw Jim Crowism in the schools of Hillburn, New York.

The Executive Committee at a recent meeting unanimously voted to send you a letter of commendation for your very democratic decision in this matter.

Very sincerely yours,  
*Rachel Evans Anderson*  
Rachel Evans Anderson  
President

REA:EJS

VINCENT McGARRETT, VICE-PRESIDENT, Andrew Jackson High School, 116th Avenue and Francis Lewis Boulevard, St. Albans  
KLEINER I. HASTINGS, SECRETARY, Washington Irving High School . . . . . 40 Irving Place, 1  
CHARLES A. GRAMEL, TREASURER, Midwood High School . . . . . Bedford Avenue and Glenwood Road,  
ADDITIONAL MEMBERS OF THE EXECUTIVE COMMITTEE  
HELEN E. ANDERSON, Tottenville High School • FRANK J. ARNOLD, Harlem High School • ALICE CROW, Girls' H  
ALICE H. ERSKINE, Port Richmond High School • MILDRED MERRIDE, Jamaica High School • MARGARET A. NOLAN, P  
High School • ARNOLD O. OLLENDORF, Stuyvesant High School • Martin Wilson, James Monroe High School

4915

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OCT 13 1943  
LAW DIVISION

Menclik Temple No. 2  
A. A. O. N. M. Shrine  
23 West 124th Street New York City  
PUBLIC RELATIONS BUREAU

RECEIVED  
OCT 9 - 1943  
COMMISSIONER OF EDUCATION  
Oct. 7th. 1943

Commissioner George D. Stoddard  
State Education Commission  
Albany, N.Y.

Dear Sir:

We herewith lodge a protest with you and the State Education Board, against the segregation policy at Hillburn, N.Y. and since the board has the Ramapo School Board under investigation as to the validity of the tactics used by said board, I quote a few examples from Hillburn; "That such conditions have existed for years without this school district being divided, that the school district was divided after Negro pupils had applied for admission to Hillburn High and been turned down; That segregated buses made their first appearance in Hillburn, when Negro students set off to enroll in Suffern, N.Y. High School where they attend classes with all races, creed or color; That John Cressman, Hillburns Mayor stated that in the abolition of slavery; "I think it was a great mistake, all a Negro wants is a full belly; That Mr Davidson Chairman District School Board, states to the Negroes "they were better off than they would be in Georgia; Mrs Davidson wife of the Chairman, states "Why should Negroes try to enroll their children in a White School? What do they want to go there for? This proves the lack of understanding the problems affecting the Negro peoples in their own community, the pretense of/or the lack of their own educational background, the talk of the enemy from within known as the 5th column, are wrong at any time, but especially dangerous now, " Fascism is a attitude in the minds of the Ramapo District Board they have shown the same motivation as actuates the "Fascist" mind, the feeling of racial superiority follows the Axis line of racial superiority by such examples of Restrictions, Discrimination and Jim-Crow laws. The millions of American Boys of which 64 Negroes went from this community are fighting and dying and sacrificing on the road to freedom and over there Negroes and Whites are struggling side by side for the common cause of all to carry democracy to the four corners of the earth against "Fascism and Nazism". Our educational system are among the first on the home front which must be protected against and from such influence. The challenge and task has been placed in your hands as Commissioner of making democracy work in our educational system on the home front in your settlement of this case of discrimination. We firmly believe that you as Commissioner of our State Educational System will act vigorously to correct this intolerable situation by the application of true principles of democracy, and that these children shall be integrated into the educational system as American Citizens without regard to Race, Creed or Color, as there is no doubt that such discrimination is violating both the Constitution of the State of New York together with the Constitution of the United States.

Sincerely yours,  
*Le Roy Williams*  
Le Roy Williams

Courtesy: New York State Archives

# The Outrage

*Mr Prince*  
 In a Democracy the will of the masses. If the northern press & our officials will for resentment such officers out of their positions. If the want the surrounded that. If that let where to Unless Department is willing to protect its noters Citizens it is not worthy of their confidence. There surely must be a solution to the problem. Let's all see how smart the Education Dept is to find out how to satisfy the white people of this state?

Over 20,000 Members  
**National Sociological League**  
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 COMMISSIONER OF EDUCATION  
 OCT 4 1943

DR. C. R. WILMER  
 President  
 Writer & Lecturer on Sociology

DR. A. DALLEK  
 Secretary  
 Publicity, Legislation

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 Chairman Board of Membership

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 Chairman - Finance

DR. J. MONK  
 Ways and Means Committee

CAPT. C. A. CROWNSHIELD, C. E.  
 Chairman Advisory Board

THEODORE APSTEIN  
 Counsel

Dr. George D. Stoddard  
 N.Y. State Commissioner of Education, Albany, N.Y.  
 My Esteemed SIR,

The press reported to day, of your desire to settle the dispute between the Negroes and Whites. I have no such racial or religious prejudices. This is a sociological point of view only.

For of all the social problems before the solution, there is none perhaps of more fundamental importance than the Negro question in our realm, how to give them equal rights and social equality. Democracy assures one only of equality and NOT social equality. And once we allow the collision with our white race, it will lead as it always does, to the gradual bastardizing of the white race, and a new race will emerge.

The fact that white people do not want to have with the Negroes does not mean prejudice, no more than if I allow their child to socialize with an other white child, do not let them meet their standards.

Please realize, that race which is everything - civilization, while civilization is but the body of this soul, destruction of this soul by such socialization etc, eventualization, will decay fast.

God or nature has created these separate races groups, and democracy not with standing, can't change it.

And those who believe that Negroes are capable of civilization with out undergoing a phylogenetic cerebral 100,000 years, are UTOPIANS (from The Sexual Question by I. M. Huxley). Injuries produce hatred, and that hatred will find revenge (Gibbon's Decline & Fall of the Roman Empire vol. 1).

The Negro suffers from what is known as "Gypsy articulates such attitudes as, fear, hatred, jealousy, resent REVENGE" (see Races, Nations, & Classes by Herbert A. Miller).

And because of democracy equality, the Negro wants white sections, visit the same white Hotels, restaurants, etc, and the Negro does not realize, that while he is tolerated, that he ignores attitudes of real racial prejudice against the white people have a right to demand for their children, that they should be mixed together with the Negro children, then do the Negroes.

The facts are, that in societies where the Negro do people are oppressed with a real vengeance. For example Liberia, where the white race, yet a white individual has no right own property.

No one denies the Negro any judicial nor political individual of the white race. To deny him, or an equality. And the sooner we put our foot down on this problem realize this, the better will it be for the supremacy of the white race.

Cordially Yours C.R. Wilmer

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**National Sociological League**  
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 OCT 11 1943  
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DR. C. R. WILMER  
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 Chairman Advisory Board

THEODORE APSTEIN  
 Counsel

Dr. George D. Stoddard  
 N.Y. State Commissioner of Education, Albany, N.Y.  
 My Esteemed SIR,

Again, I am addressing you on the Hillburn N.Y. School relative to admitting Negro & white children. And again, I must confess that it is not written from any realm of prejudice. For I abhor any racial and religious prejudices. There should be no prejudices at all.

The history of man and that of his civilization is the story of man's blind efforts to destroy himself, and the efforts of nature and Providence to save him.

The history of civilizations is built by law and destroyed by law. For when a people enact rules, regulations and laws contrary to the greater welfare, it is contrary to the greater laws of nature, and decay sets in.

The democracy which we enjoy, and which guarantees one judicial and political equality is being set upon as a precedent as meaning social equality, too. And at this point minorities are usurping powers and rights never meant for them. It is this softness of democracy, which minorities assume to mean social equality, too, and forcing their own whims upon the majority, which will not curb ed, NOW, will eventually so bastardize the white race, that this beautiful land of America, created by God for a God fearing God loving white race, will soon become a land of mongrels.

What a tragedy, that we have to subordinate the idealism of the good of our white race to the fawning hypocrisy of political expediency. For veneration which arises from the psychology of wonder and fear, creates in our politicians that fear of the votes of the colored elements, that even at the expense of the rights and good of our white race, is set aside.

If we allow this Negro element to get away with this, they will step by step demand further and more social prerogatives, and the domain of the white race, and its very security as the race of supremacy, will gradually vanish.

How it is just a small matter of schools adjustments to be with the whites. It will next become a question of why not allowing to live in the white sections visit the same amusement places, hotels, restaurants and then why not a law forcing white women to intermarry into their Negro race. All from the realm of that stupid parlor idealism of democracy equality. An equality which never meant socialization, too.

And the white race, out of the fawning hypocrisy veneration of their votes, stand for all of this nonsense. And the irony of it all is, that we can not come out against it with a manly boldness, but must whisper it with a most guarded caution.

The white race does not want to have their children mix with the Negroes. So, what of it? Why should some social degenerates, who feel it a style to be so broadminded, be allowed to force their stupid degenerate ideals upon the majority of our white race. An ideal which is the seed for the bastardizing of the white race eventually, which such socialization always leads to. Yes, the security of our white race is threatened by these degenerate parlor idealists. And these degenerates do not realize it. It is usually covered by that further degenerate ideal of Communism, which preaches this false doctrine.

No one argues against giving the colored people equal rights and opportunities. But every white individual deep in the recess of their hearts hates to see the white race stepped upon and trodden upon by the Negroes, because of the false parlor idealism of equality of democracy.

Cordially Yours C.R. Wilmer

Courtesy: New York State Archives

# Additional Support

In a Democracy the will of the majority governs. A lot of negro riff-raff is flooding our northern cities and with pressure tactics is driving out our white population under the aid of governmental officials. The white people will soon show their resentment by driving

such officers out of their positions.

If the white people don't want their children to be surrounded by negro riff-raff they are entitled to that. If the negroes don't like that let them go back to where they came from. Unless the State Education

Department is willing to protect its voting citizens it is not worthy of their confidence. There truly must be a solution to the problem. Let's all see how smart the Education Dept is to find out how to satisfy the white people of their state?

Received  
Oct 15 1943  
Commissioner  
of Education

## Document Analysis

When was this document written?

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What type of document is this?

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Why was this document written?

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What is the overall opinion of the author?

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What arguments does the author make to support their opinion?

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What bias appears in this document?

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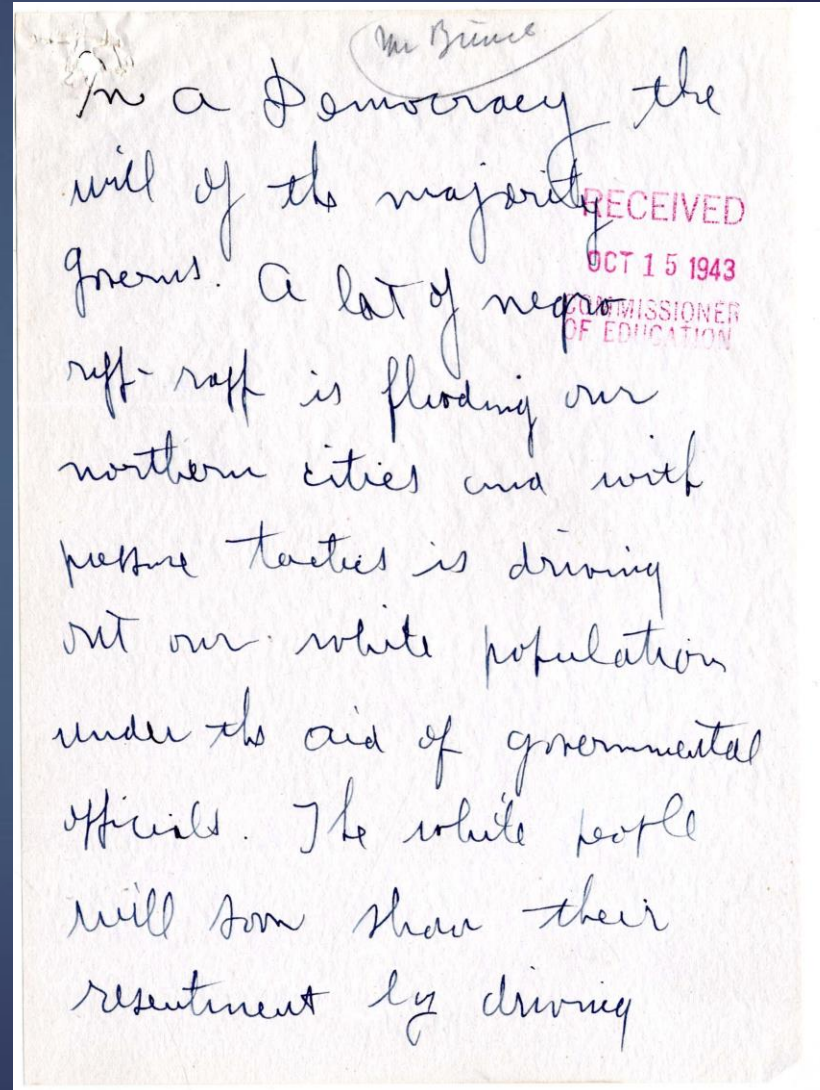
What is the overall tone of this document?

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Courtesy: New York  
State Archives

# Assessment

- ▶ How did individual citizens of Hillburn change their community?