

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA HUMAN RELATIONS COMMISSION

PENNSYLVANIA HUMAN  
RELATIONS COMMISSION, :  
COMPLAINANT : :

VS : DOCKET NO. P-697

THE SCHOOL DISTRICT OF :  
PHILADELPHIA :

FINDINGS OF FACT, CONCLUSIONS  
OF LAW, COMMISSION'S DECISION  
AND FINAL ORDER

FINDINGS OF FACT

- I. The Complainant herein is the Pennsylvania Human Relations Commission, an administrative agency of the Commonwealth of Pennsylvania.
- II. The Respondent herein is the School District of Philadelphia which administers, in the City and County of Philadelphia, through its eight sub-districts, 281 public primary and secondary schools.
- III. The Respondent was requested by the Complainant and the Pennsylvania Department of Education, on February 2, 1968, to submit a plan and timetable for the implementation of that plan to correct the problem of racial imbalance in its educational facilities.
- IV. On March 29, 1968, the Respondent was provided by the Complainant with its and the Pennsylvania Department of Education's "Desegregation Guidelines for Public Schools" and outline of "Services to Schools Regarding Public School Desegregation."

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V. In May of 1968, Respondent was provided with Complainant and the Pennsylvania Department of Education's "Recommended Elements of a School Desegregation Plan."

VI. Between February 2 and June 1, 1968, representatives of Respondent participated in one state-wide meeting, one regional and one two-day seminar on school desegregation convened by Complainant and the Pennsylvania Department of Education. At the two-day seminar, the three documents mentioned above in Paragraphs IV and V were discussed and distributed to all participants.

VII. On three occasions, Complainant's Commissioners and staff met with Respondent's Board Members and staff to discuss the request for submission of a plan and timetable, guidelines for same, and services available for developing an acceptable plan and timetable.

VIII. In response to Respondent's request, Complainant granted four extensions of time totalling one year (from July 1, 1968 to July 1, 1969) within which to develop an acceptable desegregation plan and timetable.

IX. A racially-segregated or racially-imbalanced school is one whose concentration of Negro or white pupils is disproportionate to the enrollment of that particular racial group in all of the schools of the same grade span of a school district.

X. A disproportionate racial concentration of pupils in a public school consists of a pupil enrollment in which the percent of Negro pupils is less than or more than thirty (30%) percent of the percent of Negro pupils in schools of the same grade span of a school district, as defined by Complainant and Pennsylvania Department of Education in the aforesaid "Desegregation Guidelines for Public Schools" and "Recommended Elements of a School Desegregation Plan."

XI. The enrollment of Negro pupils in Respondent's grade span the number and proportion of these schools that are racially-segregated and the Negro enrollment therein are as follows:

A. Concerning all schools of all grade spans:

- (1) In school year 1968-69, 226 of the 279 schools were racially-segregated; in 1970-71, 228 of the 281 schools were racially-segregated.
- (2) In school year 1968-69, 42%, or 116 of the schools had enrollments of over 95% Negro or over 95% white; in 1970-71, 49%, or 139, of the schools had over 95% one-race enrollments.
- (3) In school year 1968-69, 76.3% of Negro pupils, or 127,015, were in schools with disproportionately too many Negro pupils; in 1970-71, 77.0%, or 130,400 were in such schools.

- (4) In school year 1968-69, 54.1% of Negro pupils, or 90,105, were in schools of over 95% Negro enrollment; in 1970-71, 56.7%, or 96,014, were in such schools.

B. Concerning the senior high grade span:<sup>1</sup>

- (1) The percent of Negro pupils was 52.0% in the school year 1968-69 and is 56.2% in the school year 1970-71.
- (2) A racially-segregated senior high school, in school year 1968-69, was a school whose Negro enrollment was less than 36% or more than 68%, and in 1970-71, is one with less than 39% or more than 73%.

<sup>1</sup>Senior high schools are those whose grade span is grade level 10 through 12.

- (3) In school year 1968-69, 15 of the 18 senior high schools were racially-segregated; in 1970-71, 16 of the 23 schools were racially-segregated.
- (4) In school year 1968-69, 5 schools had enrollments of over 95% Negro or over 95% white; in 1970-71, 7 schools had over 95% one-race enrollments.
- (5) In school year 1968-69, 71.0% of Negro pupils, or 19,548, were in schools with disproportionately too many Negro pupils; in 1970-71, 67.2%, or 19,260, were in such schools.
- (6) In school year 1968-69, 28.7% of Negro pupils, or 7,923, were in schools of over 95% Negro enrollment; in 1970-71, 26.0%, or 7,455, were in such schools.

C. Concerning the vocational-technical schools:

- (1) The percent of Negro pupils was 50.0% in the school year 1968-69 and is 59.9% in the school year 1970-71.
- (2) A racially-segregated vocational-technical school, in school year 1968-69, was a school whose Negro enrollment was less than 35% or more than 65%, and in 1970-71, is one with less than 42% or more than 78%.
- (3) In school year 1968-69, 2 of the 4 vocational-technical schools were racially-segregated; in 1970-71, 4 of the 4 schools were racially-segregated.
- (4) In school year 1968-69, no schools had enrollments of over 95% Negro or over 95% white; in 1970-71, no schools had over 95% one-race enrollments.
- (5) In school year 1968-69, 47.6% of Negro pupils, or 1,436, were in schools with disproportionately too many Negro pupils; in 1970-71, 86.1%, or 2,930, were in such schools.