

MINUTES OF THE STATE BOARD OF EDUCATION OF  
THE STATE OF ALABAMA  
2 P.M., WEDNESDAY, MARCH 2, 1960  
MONTGOMERY, ALABAMA

The State Board of Education of the State of Alabama met in called session in the Board Room of the State Department of Education, Montgomery, Alabama, at 2:00 p.m., Wednesday, March 2, 1960, pursuant to the following call issued by the direction of Honorable John Patterson, Governor of Alabama and President of the Board:

"February 25, 1960

Honorable \_\_\_\_\_  
Member, State Board of Education  
\_\_\_\_\_, Alabama

Dear \_\_\_\_\_:

By direction of Governor John Patterson, you are hereby requested to attend a meeting of the State Board of Education, as authorized by Section 12, Title 52, Code of Alabama 1940, to be held in the Board Room of the State Department of Education, Montgomery, Alabama, Wednesday, March 2, 1960, beginning at 2 P.M. This is a most important meeting.

/s/  
Frank R. Stewart  
State Superintendent of Education"

GOVERNOR JOHN PATTERSON, PRESIDING

Governor John Patterson, President and Chairman of the Board, presided at the meeting and on roll call the following members answered present: Governor John Patterson, Mr. Robert R. Locklin, Mr. J. T. Albritton, Mr. J. P. Faulk, Jr., Colonel Harry M. Ayers, Mr. J. J. Benford, Mr. E. W. Skidmore, Mr. W. C. Davis, Mr. Cecil Word, Mr. Chester Austin, and Superintendent Frank R. Stewart; absent: none.

VISITORS SIT WITH BOARD

From the Governor's Office Mr. Robert P. Bradley, Legal Adviser; Mrs. Ruth Richardson, Private Secretary; Mr. Harry Cook, Press Secretary; Mr. Joe Robertson, Executive Secretary; and Corporal Griggs, Guard, attended the meeting. Mr. James V. Jordan, State Budget Officer, was present at the Governor's invitation. Mr. L. C. Stabler, Business Manager, Troy State College, and Dr. R. C. Kennedy, also from Troy State College, were present. In addition, many representatives of the Press were present.

MINUTES OF THE JANUARY 25, 1960, MEETING, APPROVED

Mr. Word moved that the minutes of the January 25, 1960, meeting of the Board be approved; members of the Board having previously received and reviewed mimeographed copies of same. His motion was seconded by Mr. Locklin and unanimously carried.

RESOLUTION AUTHORIZING PURCHASE OF PROPERTY,  
LIVINGSTON STATE COLLEGE, AMENDED

Superintendent Stewart stated that he had communications from Honorable Ira D. Pruitt, Attorney, Livingston, Alabama, and from Dr. D. P. Culp, President of Livingston State College, stating that certain property adjoining the college campus at Livingston could not now be purchased for the price of \$5,000 as authorized by the Board at its December 11, 1959, meeting. He stated that he now held signed statements from the owners of said property that it could be purchased for \$7,000, and that college authorities advised that the Board amend the December 11, 1959, resolution so that the property might be made available at an early date for the amount of \$7,000. Whereupon, Superintendent Stewart recommended the following resolution for adoption:

WHEREAS, the State Board of Education on December 11, 1959, approved a resolution, as recorded on Page 302, Book V, Minutes of the State Board of Education, authorizing the College to purchase a plot of land adjacent to the Livingston State College Campus, consisting of two acres, more or less, for \$5,000.00; and

WHEREAS, said plot could not be bought for \$5,000.00, as approved; and

WHEREAS, the College has an agreement signed by the Board of Deacons of the First Baptist Church, Colored, Livingston, Alabama, stating that said plot can be purchased for \$7,000.00; and

WHEREAS, said plot of land is essential to the growth of Livingston State College and to the building program to be initiated in the immediate future:

NOW, THEREFORE, BE IT RESOLVED That Paragraph 7, Line 3, of the December 11, 1959, resolution be amended to read as follows: ". . . . and the purchase of the two acre plot of land for a consideration of \$7,000.00."

Mr. Skidmore then moved that the above resolution be adopted; his motion was seconded by Mr. Austin, and carried by all members voting aye.

EASEMENT, CITY OF HUNTSVILLE, WATER MAIN ACROSS PROPERTY OF THE  
ALABAMA AGRICULTURAL AND MECHANICAL COLLEGE, APPROVED

Superintendent Stewart, on the recommendation of Dr. J. F. Drake, President of the Alabama Agricultural and Mechanical College, Normal, Alabama, presented the following resolution and recommended its approval:

WHEREAS, the City of Huntsville has requested that an easement be granted said city across the property of Alabama Agricultural and Mechanical College land a distance of 15 feet wide and 2,355 feet long for the purpose of installing and maintaining a water main; and

WHEREAS, Dr. J. F. Drake, President of the College, has stated in writing that the water main will increase the pressure at the College and will in no way jeopardize the property of the College:

THEREFORE, BE IT RESOLVED That the State Board of Education grant to the City of Huntsville an easement for the construction and maintenance of a water main across the property of the Alabama Agricultural and Mechanical College located at Normal, Alabama, described as follows:

Commencing at the center of the East boundary of Section 13, Township 3 South, Range 1 West, runs North 0 degrees a distance of 2179.5 feet along West boundary of Meridian Pike to a point on the North side of A. & M. College Campus Road - being defined as point "A" a said point being the point of beginning and center line of a 15' water line easement for the construction of a 12" water main; thence North 82° 37 minutes West a distance of 2355 feet intersecting with the East boundary of North Memorial Parkway and containing approximately .81 acres of land - said easement lying in the Northern half of the Northeast quarter of Section 13, Township 3 South, Range 1 West, Madison County, Alabama.

BE IT FURTHER RESOLVED That the President and Secretary of the State Board of Education be authorized to execute and deliver the said easement.

Colonel Ayers moved that the above resolution be adopted. His motion was seconded by Mr. Word, and carried unanimously.

INCREASE FEDERAL LOAN, FLORENCE STATE COLLEGE, APPROVED

Mr. Benford moved the adoption of the following resolution; his motion was seconded by Mr. Skidmore, and carried by all members voting aye:

WHEREAS, on October 1, 1958, the State Board of Education, by official resolution, authorized the President of Florence State College to make application to federal authorities for a loan of \$1,250,000 at 3% annual interest for the purpose of constructing a men's dormitory, a women's dormitory, and a student union building on the campus of Florence State College, the loan to be amortized by a building revenue bond issue; and

WHEREAS, it has been ascertained that the cost of the project will approximate \$1,365,000; and

WHEREAS, at a conference between the President of the College and the State Superintendent of Education, it was decided that it would be best to request an increase in the amount of the loan from the Federal Housing and Home Finance Agency:

NOW, THEREFORE, BE IT RESOLVED That the resolution of October 1, 1958, be amended to read as follows:

BE IT RESOLVED BY THE STATE BOARD OF EDUCATION OF ALABAMA That the President of Florence State College is hereby authorized, with the approval of the State Superintendent of Education, to make application to federal authorities for a loan of \$1,365,000 at an interest rate of 3% annually, with the understanding that final approval of any loan secured from the federal government is to be made by the State Board of Education. This authorization refers to a loan to construct a men's dormitory, a women's dormitory, and a student union building at Florence State College, Florence, Alabama.

\$35,000 ALREADY ON HAND, FLORENCE STATE COLLEGE  
TO BE ON CONSTRUCTION CONTRACT

Superintendent Stewart reported that Dr. E. B. Norton, President, Florence State College, had informed him that he had already collected \$35,000 from fees for the present building project on the campus of the college, and that since the delay in getting work under way, and that since the bonds will not be sold for approximately twelve months, he requested permission of the Board to use said amount already on hand on the construction contract instead of using the \$35,000 for amortizing bonds to be sold one year hence. Mr. Skidmore moved that the request of Dr. Norton be approved. Mr. Word seconded the motion; motion unanimously carried.

GOVERNOR PATTERSON OFFERS RESOLUTION RE: PRORATION OF SCHOOL FUNDS

Having completed the agenda and reached the item of OTHER BUSINESS for Board attention, Governor Patterson stated that under the Constitution it had become his duty to announce that proratable items in the School Budget of necessity would be cut 10%. He reviewed the reasons for shortage of taxes collected, and presented a resolution amending the Minimum Program Fund budget adopted by the State Board of Education at the September 3, 1959, meeting. Explaining in detail the resolution, he then moved that it be adopted. His motion was seconded by Mr. Word. During the discussion that followed, Superintendent Stewart stated his reasons for objecting to the resolution offered by the Governor, which resolution, if adopted, would cut teachers' salaries 10%, as well as other proratable items in the budget. He reminded the Board that the teachers and all school officials had been operating on a budget, adopted by the Board on September 3, 1959, and teachers and other school personnel had signed contracts at the rate of the full salary schedules pledged by the Legislature. He stressed the seriousness of the high proration and reminded Board members that proration was now in the fourth year. He reported the hundreds of messages received from teachers, patrons, and other citizens, and warned that, according to his information, if teachers' salaries were cut, many teachers would walk off the job. The Governor at this point stated that he would be no part of closing schools, for any reason. Various members of the Board expressed the feeling that they would not approve of cutting the salaries of teachers.

A discussion pursued along the lines of some possible way in which the problem might be solved. Superintendent Stewart then offered a substitute resolution asking Board approval of a request to the Governor to call a special session of the Legislature to meet the emergency in education. The Governor then asked if the Superintendent had a program to raise the money; or suggestions for the Legislature, even if they were called into special session; stating that it was doubtful if a special session were called relief could be had this school year. The Superintendent replied that in his campaign and all over the State he had pledged to the people of Alabama to present the school needs and let the Legislature find the means of meeting them.

Superintendent Stewart and other members of the Board commended the Governor for his efforts in securing additional funds through the special session of the Legislature and the Superintendent stated further that educators all over Alabama appreciated what the Governor and the Legislature had done.

Colonel Ayers stated to the Board that he had a conference with some outstanding school men in his section of the State and that he had never known school people and others interested to be so distressed over the proration situation. He read a resolution requesting the Board to do all possible to prevent the cutting of teachers' salaries. No action was taken.

It was then that a postponement of action on the Governor's resolution, amending the budget to reflect the 10% proration, was discussed. Following the discussion, Mr. Skidmore moved that action be delayed with reference to adopting an amended budget until such time as school authorities could get together and work out plans

for keeping the schools open, and until such time as teachers and citizens of the State might have time to be better informed about the seriousness of the problem they face; the postponement of action at this time to be made with the understanding that the Governor would call a later meeting of the Board to consider the matter. Mr. Austin seconded Mr. Skidmore's motion and the motion carried by the following voting aye: Mr. Locklin, Mr. Faulk, Colonel Ayers, Mr. Benford, Mr. Skidmore, Mr. Austin, and Superintendent Stewart; nay: Governor Patterson, Mr. Albritton, Mr. Davis, and Mr. Word.

#### RECESS

At this point, the Governor announced a 5-minute recess of the Board. Mr. Austin stated that he would not be able to remain for the rest of the session, due to illness in his family.

#### SESSION CONTINUED

The Board reassembled promptly after the 5-minute recess, at which time Mr. Skidmore asked the Governor what he thought about the Board resolving itself into executive session to hear Dr. H. Council Trenholm, President, Alabama State College, in connection with student participation in certain downtown demonstrations at the Court House Restaurant. The Governor thought best that the Press remain. No motion was made.

#### EXPULSION OF CERTAIN STUDENTS, ALABAMA STATE COLLEGE

Dr. H. Council Trenholm, President, Alabama State College, complying with the former request of Governor Patterson, appeared before the Board and gave his report of the investigation relating to the downtown demonstration of certain students from the college in the matter of appearing at the Court House Restaurant and demanding service. It was determined by his investigations and that of Mr. Floyd Mann, Director of the State Department of Public Safety, that there were nine students who lead the demonstration. Dr. Trenholm agreed that the students should be punished and that their action might have been influenced by a student or students from out of the State. He earnestly requested that the students be allowed to take the final quarter examinations. The Board agreed that they be permitted to do so, but that the order of expulsion for the nine leaders of the demonstration be made effective Friday, March 4, and that the pupil record show such action, also that probation of other students taking part in the demonstration be made effective the same date. Dr. Trenholm stated that the participating students were obsessed with obligation and conviction and felt that they had done no wrong. He expressed the feeling that he could control future behavior on the campus and that the students should be reprimanded and put on probation from now on. The Governor felt that the situation was much too tense and the danger of life and bloodshed too perilous to pass up lightly the matter of punishment of the participants. He then offered the following recommendation and moved its approval;

After a full investigation of the demonstrations carried on by the students of the Alabama State College for Negroes and after careful consideration of the evidence obtained as a result of the investigation, I recommend that the following action be taken:

1. That the following students be expelled:

Bernard Lee, Norfolk, Virginia  
 St. John Dixon, National City, California  
 Edward E. Jones, Pittsburg, Pennsylvania  
 Leon Rice, Chicago, Illinois  
 Howard Shipman, New York, New York  
 Elroy Emory, Ragland, Alabama  
 James McFadden, Prichard, Alabama  
 Joseph Peterson, Newcastle, Alabama  
 Marzette Watts, Montgomery, Alabama

2. That the following students be placed on probation and allowed to remain in school pending good behavior:

Henry Allen, Seale, Alabama; Richard Ball, Fairfield, Alabama;  
 Willis C. Battle, Phenix City, Alabama; Cornelius Benson,  
 Birmingham, Alabama; Samuel Bouie, Anniston, Alabama; Floyd  
 Coleman, Sawyerville, Alabama; Henry Crawford, Montgomery,  
 Alabama; James Earl Davis, Prichard, Alabama; Thomas C. Ervin,  
 Heflin, Alabama; Arthur Lee Foster, Montgomery, Alabama; Isham  
 Harris, Troy, Alabama; Jonathan Hicks, Chatom, Alabama; Trenholm  
 Hope, Selma, Alabama; Jerry Leon Johnson, Collinsville, Alabama;

Andrew William Jones, Birmingham, Alabama; Eddie Lee McSwain, Eufaula, Alabama; Theophilus Moody, Camden, Alabama; Joe Louis Reed, Evergreen, Alabama; William Renfro, Roba, Alabama; Robert Lee Woods, Heiberger, Alabama.

3. That all other members of the student body be advised that they will be expected to behave themselves and obey the law and that any future conduct on their part which is in violation of the law or calculated to incite riots and disorders will result in their immediate dismissal from the school.

Mr. Word moved the approval of the recommendation; his motion carried by all members voting aye.

COLONEL AYERS HONORED AT AMERICAN SCHOOL ADMINISTRATORS  
ANNUAL CONVENTION, ATLANTIC CITY, N. J.

Superintendent Stewart offered the following resolution and moved its adoption; motion seconded by Mr. Skidmore and unanimously carried:

WHEREAS, Colonel Harry M. Ayers, Vice President of the State Board of Education, was given a recognition award at a joint luncheon meeting of the Education Writers Association and the Education Press Association of America at the annual convention of the American School Administrators Association at Atlantic City, New Jersey, last month; and

WHEREAS, this award was in recognition of Colonel Ayers and THE ANNISTON STAR for the broad coverage of the subject of Education and for the editorial policy which revealed keen insight into the complex problems of education during this crucial period; and

WHEREAS, Colonel Ayers has always constantly given able and vigorous support to public education in Alabama in his editorials in the Anniston Star and in his actions as a member of the State Board of Education of this State:

THEREFORE, BE IT RESOLVED That the State Board of Education take this method of expressing appreciation for this distinguished award to Colonel Ayers and the Anniston Star and request record be made of same in the minutes of the meeting of the Board on this March 2, 1960.

EXECUTIVE SESSION

At the recommendation of the Governor, the Board resolved itself into executive session. The Governor and the Superintendent thanked the members of the Press for their presence during the session. The Press and other visitors then retired from the meeting.

TRADE SCHOOLS

During the executive session the matter of financing trades education was discussed, also plans for expanding offerings to all those interested in trades education.

ADJOURNMENT

The business having cleared the agenda, and on proper motion, duly seconded, and unanimously carried, the Board then adjourned to meet again subject to call by Governor John Patterson.