

OCEAN HILL-BROWNSVILLE: THE EYE OF THE STORM

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INTRODUCTION

"Ocean Hill-Brownsville: The Eye of the Storm," is the story of a segment of the storm that is raging in the American public education system. It describes the conflicts that developed as a result of the efforts made by Black and Puerto Rican residents of two contiguous "ghetto" communities to assume control of the schools in their areas. The setting is Brooklyn, New York. The time period extends from the fall of 1966 to November of 1968.

The ideas and sentiments that precipitated the movement in Ocean Hill-Brownsville must be assessed in the light of the national struggle of Black people in the United States. It was during the mid-sixties that the "Civil Rights" struggle for "integration" began to give way to the Black Power movement for "self-determination." This change of direction was no less true for Ocean Hill-Brownsville than it was for the whole of Black America.

While formerly the parents had seen the integration of their schools as the only way of assuring their children of a quality education, now they saw an alternative. The demand that emerged was "either integration or community control." This was the choice given to the New York City Board of Education.

What is attempted in recounting this aborted experiment in community control is a clarification of the major participants and issues that caused the turbulence which disrupted the Ocean Hill-Brownsville school district. The most significant participants to be examined are the Ocean Hill-Brownsville community and its governing board, the coalition between the United Federation of Teachers and the Council of Supervisory Associations (UFT-CSA), and the political-educational establishment, at times represented by the Board of Education, the State Board of Regents, or the State Legislature. The impact of each of these three groups on the movement for "community control" is the major concern of this examination.

The main issues which came into dispute between the three contending groups during the experiment, such as "due process," "racism and anti-semitism," and the use of the civil service system are discussed in the context in which they appeared during the confrontation. Most significant is the issue of the transferral and exercise of political and educational power. This issue of power was an underlying concern throughout the twenty-seven month period of turmoil. It can best be understood in terms of what power would be allocated and who would exercise it in a "community controlled" as opposed to a "decentralized" school district.

It must be remembered, however, that the issues that were raised in the power struggle at Ocean Hill, and which

were at least temporarily resolved by the legislative victory of the UFT-CSA, did not include perhaps the most important question now facing America's educational systems: to what extent are school children being prepared in fact for constructive and satisfying life roles. In brief, education for what?

This study seeks to present the facts which lead the present researcher to conclude that "community control" and "integration" are both means to an, at present, undetermined end. Furthermore, "centralization" is not "the problem," nor "decentralization" "the solution." Neither is "segregation" the problem, and "integration" the solution. The problem is rather the effect of the assaults on the human spirit that are allowed to be inflicted under the existing educational systems.

It is hoped that this study will be useful for the understanding of one of the major trends in American education to have evolved out of the Civil Rights struggle. This insight will assist us to avoid repeating our past mistake of confusing the method with the objective, with the resultant waste of valuable human and material resources.

CHAPTER ONE

NO LONGER AT EASE

The Ocean Hill-Brownsville Community

Ocean Hill is a section of New York City, located a few miles from downtown Brooklyn, and serves as a border between the vast slums of Brownsville and Bedford Stuyvesant. Sol Stern, a school teacher in the district containing Ocean Hill, gave a graphic description of the area; "Ocean Hill-Brownsville resembles Berlin after the war: block after block of burned-out shells of houses, streets littered with decaying automobile hulks."¹

Shortly after the creation of the Ocean Hill-Brownsville demonstration school district, in the spring of 1967, the Ford Foundation funded the Institute of Community Studies, Queens College, "to provide technical assistance and maintain a documentary evaluative history of the district."² The Institute, in cooperation with the National Opinion Research Center, conducted a survey of Ocean

¹Sol Stern, "Scab Teachers," Confrontation at Ocean Hill-Brownsville, Maurice R. Berube and Marilyn Gittell, eds., (New York: Praeger, 1969), p. 178.

²Marilyn Gittell et al., Local Control in Education: Three Demonstration School Districts in New York City, (New York: Praeger, 1972), p. 1.

Hill-Brownsville and their findings provide some valuable insights into the socio-economic composition of the community. Two hundred and fourteen mothers from six of the Ocean Hill-Brownsville schools were interviewed.

Of the 214 parents surveyed, 41 percent had total family incomes of \$3,000-\$4,999 per annum, 16 percent reported total earnings of under \$3,000, 24 percent earned between \$5,000 and \$6,999, and only 14 percent of this group reported their annual family income at \$7,000 or more. The 1960 census reported the median family income in the district to range between \$3,000-\$5,100.

The formal education level in the district is low; ...72 percent of the parents indicated that they did not have an opportunity to get as much education as they would have liked and only 26 percent did. Twenty-six percent received an 8th grade education or less, 44 percent completed the 9th-11th grades, 25 percent attained a high school diploma, and only 3 percent attended some college, with 2 percent of the respondents holding college degrees.

An 80 percent black, 16 percent Puerto Rican, and 3 percent white population make up the racial composition of the respondents surveyed in the Ocean Hill-Brownsville district. This sample compares with the make-up of 73 percent black, 24 percent Puerto Rican, and 3 percent white of the student population in the district from 1967-68.

...15 percent of the parents lived in the district for less than 1 year, 35 percent lived there 1 year but less than 4 years, 9 percent resided in the district 4 years but less than 5 years, and 24 percent of the respondents moved into the district during the time of the experiment.³

This background of poverty and poor education does not seem fitting to a group of people who would spearhead a reform movement in American education. Yet, in the Black

³Ibid., pp. 44-45.

and Puerto Rican ghettos of New York City this background served as a constant reminder of the failure of the public education system. When these parents looked for reasons to explain why they remained on the bottom rung of American society, their gaze fell on the education system because the ever-present schools were the most visible public institutions in their communities.

The weaknesses of the schools became immediately apparent to the suspicious gaze of the parents. It was all too obvious that the teachers and administration were not representative of the community population, and the continuous flow of reports on the failures of the public schools could not be easily overlooked. Dr. Melvin I. Urofsky, of the State University of New York at Albany, reflected on some of the immediate problems confronted when examining the New York City schools at that time. He commented,

Until 1967, there were only four black principals out of 865 principal positions (less than one half of one percent) and only twelve assistant black principals for the 1,500 positions at that rank.

One out of every three pupils is a year or more retarded in arithmetic; in the 1960's reading scores plunged, while drop-out rates soared. In 1966, over 12,000 pupils were suspended; one out of three teachers is a "permanent substitute" without a permanent license; 90,000 pupils attend overcrowded schools.⁴

⁴Melvin I. Urofsky ed., Why Teachers Strike: Teacher's Rights and Community Control, (Garden City, N.Y: Doubleday & Co., 1970), p. 8.

In 1967 this situation must have been particularly agonizing because in that year the percentage of Black and Puerto Rican students in the public schools exceeded 50 percent.⁵ The under representation of these groups in policy making was seen as a means of control. To demand integration into the minority now appeared even the more infeasible. The need for change was certain and this time the change would be directed from below by the community rather than from above by the administration.

Winter 1966-67: Rumblings of a movement

IS 201 - Harlem

The movement for "community control" of the New York City schools did not begin in the Ocean Hill-Brownsville area of Brooklyn but rather in the predominantly Black and Puerto Rican community of East Harlem. In September of 1966 the parents in this Harlem community joined together and demanded from the Board of Education the right to veto the selection of a principal for the soon to be opened Intermediate School 201.⁶

The Intermediate Schools were created in New York City supposedly to foster ethnic integration. They were to encompass grades five through eight and draw students from wider areas and at an earlier age than the old junior high schools. This would be done by strategically locating

⁵New York Times, 15 March 1967.

⁶Richard Karp, "School Decentralization in New York," Confrontation, Berube and Gittell eds., p. 63. Reprinted from Interplay Magazine, August-September, 1968.

schools in border areas where white and Black children would be able to attend. The conflict in Harlem began in 1962 over the selection of a site for a proposed school. The site chosen was not far from where Puerto Rican and Black East Harlem joins Black Central Harlem. The community groups and local school board argued that this site would defeat the purpose of the school and make it segregated. The Board of Education argued that a school facility was needed precisely at that location.⁷

With the school ready to be opened for the fall term 1966, the parents warned that they would boycott the opening of the school unless the authorities met one of two demands: "Either they bring white children in to integrate 201 or they let the community run the school - let us pick the principal and the teachers, let us set the educational standards and make sure they are met," demanded a spokesman for the group. Noting the distance that white students would have to travel, a spokesman for the Board of Education said, "Our policy is not to involuntarily bus children long distances for integration." He went on to say that the demand for community control was counter to state law which vested the control of schools with the Board of Education.⁸

⁷New York Times, 2 September 1966.

⁸Ibid.

This preliminary confrontation resulted in a boycott of the school. The immediate issue was the selection of a white principal. The boycott lasted almost two weeks with community pressure forcing the principal to "voluntarily" resign and teacher pressure forcing him to reconsider his resignation. The settlement which concluded the boycott provided for "the creation of an East Harlem Community Council that will have a strong voice in community affairs, including veto power over the appointment of teachers and supervisors."⁹ This boycott marked the end of the school integration movement in New York City. The New York Civil Liberties Union, citing a publication by the United Federation of Teachers, underscored the affect of this confrontation:

Having been promised by the Board of Education that the school would be integrated, parents of children there soon found that they had been betrayed, and that the school would remain segregated. Mounting frustration coupled with the increasingly obvious fact that children were not learning soon led to a translation of the original demand for integration into one for 'local control'.¹⁰

'Rump' Board of Education

The demand for "community control" that began in Harlem was soon taken up in the Ocean Hill district of Brooklyn.

⁹Ibid.

¹⁰Statement appeared in "The Burden of the Blame: NYCLU Report on the Ocean Hill-Brownsville Controversy," by Associate Director Ira Glasser. Reprinted in Confrontation, Berube and Gittell eds., p. 105.

The community felt that the Board of Education had reneged on its promise of "quality integrated education" in that community too. Four thousand Black students had been bused out of Ocean Hill into white schools where they were given less than a warm welcome. In the schools many were herded into separate classes because of their poor reading skills. The white residents angrily opposed their arrival and the administrators were unresponsive to their situation. In this atmosphere of hostility the students desired to return home.¹¹

In November, 1966, all of the community groups of Ocean Hill-Brownsville severed relations with the District 17 school board (composed of "white middle-class East Flatbush at one end, the Black ghetto of Brownsville in the center, and Ocean Hill at the other end.").¹² The community groups from the Ocean Hill area joined with the parents from the IS 201 boycott in Harlem and staged a three-day demonstration at the Board of Education during its budget hearings in December.¹³

Declaring itself the "People's Board of Education" this coalition occupied the Board's executive offices at 110 Livingston Street. Among the demands from the Ocean Hill delegation was the dismissal of an incumbent elementary

¹¹Karp, "School Decentralization," Confrontation, Berube and Gittell eds., p. 64.

¹²Ibid.

¹³New York Times, 20 December 1966.

school principal and the right to choose the new principal for the soon to be opened Intermediate School 55.¹⁴ This December '66 demonstration marked the beginning of a city-wide concerted effort by Black and Puerto Rican residents to attain control of the public schools in their areas.

Spring '67: Demonstration Districts

The UFT

During the spring of 1967 as the movement for community control gained momentum it began to pick up support from different groups among the established powers. The first established group to offer its support to the community groups was the United Federation of Teachers. The teachers' union, as a labor organization, had had a tradition of opposition to the Board of Education, which represented management. Not surprisingly, the teachers' union saw the frontal attack of the movement to be rightly directed against the Board because that was where the control was. They therefore found in the forces for community control a new ally.

Another, and more visible, reason that the union had for aligning with the community was the opportunity for expanding the More Effective Schools program. This program

¹⁴Karp, "School Decentralization," Confrontation, Berube and Gittell eds., p. 66.

was operating in twenty-one schools in low income areas. Under it per pupil expenditure was almost doubled. Albert Shanker, president of the United Federation of Teachers, explained the thinking behind the coalition of the union with the community. He said:

The local community groups were interested in increased power in terms of local school board hiring, firing, budget processes, and so forth. That's what they wanted. We didn't particularly want that. What we wanted was expansion of our More Effective Schools program, which is essentially a doubling of per pupil expenditure at the elementary school level. We said to the community, "If you will go all out as a community to support MES, then we will go all out to support you and see to it that you have a local governing board. You have to have due process but you will have the right to fire teachers, if you bring them up on charges."¹⁵

The New York chapter of the United Federation of Teachers, with its almost 58,000 members, was the largest local labor union in the country and in it the community found a very valuable ally. But as can be seen from the circumstances surrounding the alliance the bond was very tenuous.

The Bundy Panel

The Community Control movement picked up a second, and even more unlikely ally from among the ranks of the establishment in the spring of 1967. The new ally was the administration of Mayor John Lindsay. During the winter and early spring Mayor Lindsay had been attempting to gain

¹⁵Albert Shanker, interview in Urofsky ed., Why Teachers Strike, p. 173.

increased funds from the State Legislature for the schools. The results of his efforts was the promise that if the New York City school district could be broken down from a single unit to five borough districts without destroying central control by the Board of Education, then the city could expect an increase of \$54 million in aid for the fiscal year beginning July 1 and this would increase to \$108 million in the following fiscal year.¹⁶

What was needed was that the Mayor should produce an acceptable "decentralization" plan by December 1. The city administration, whether out of some sense of benign paternalism or naivete, viewed the demand for "community control" only as a desire by the residents to make the system more responsive to them. Rather than seeing the demand as a legitimate demand by adult parents for 'control' of their children's schools, the city chose to view it as if it were an outcry of disenchanted children for attention and some 'say-so.' For this reason the administration acted under the false assumption that the community's needs would be met by merely decentralizing the system. From this point on the term "community control" was equated and used interchangeably, by the establishment, with the term "decentralization," and the word "involvement" or "participation" was frequently substituted for "control."

¹⁶New York Times, 30 April 1967.

The Mayor immediately took two steps toward meeting his December first deadline for submission of a plan. The first step was the selection of a panel that would devise a decentralization plan. This panel was made up of prominent individuals in the field of education and in anti-poverty programs - people that were 'in touch with the problem' but not part of it. The panel members were; Lloyd Garrison, later replaced by Alfred Giardino, president of the New York City Board of Education; Mitchell Sviridoff, then head of the city's Human Resources Administration; Francis Keppel, president of the General Learning Corporation and former U.S. Commissioner of Education; Dr. Bennetta Washington, a former high school principal, head of Women's Job Corps, and wife of Walter Washington, the first Mayor of Washington, D.C.; and Dr. Antonia Pantoja, a social work professor and prominent leader in the Puerto Rican community. Mario Fantini served as staff director and McGeorge Bundy, president of Ford Foundation, was appointed chairman.¹⁷ Significantly, there were no members from the "community control" ranks appointed to the panel.

Creation of Districts

The second step taken by the Lindsay administration, in response to community pressure and as a means of

¹⁷Mario Fantini and Richard Magat, "Decentralizing Urban School Systems," The Schoolhouse in the City, Alvin Toffler ed., (New York: Praeger, 1968), p. 113.

experimentation, was the creation of "experimental demonstration units." During the winter the teachers union, parents, and a college professor had worked together to prepare a plan for allowing the community school board to obtain control of the schools. Before the submission of the report the Ford Foundation, representing white philanthropy, stepped in to give support to the venture.¹⁸

Father John Powis of the Church of Our Lady of Presentation, later to become a member of the Ocean Hill governing board, said, "The Ford Foundation went to the Board of Education and, with its power and prestige, pushed the Board into accepting them as advisors and letting them use Ocean Hill as a laboratory."¹⁹

The Ford Foundation set up a meeting between the community control forces and Superintendent Bernard Donovan and the Board of Education. The meeting was organized to discuss the selection of a principal for IS 55, however, the Ocean Hill representatives directed the discussion around their plan for a local governing board. The board was to consist of 24 members; eight parents and eight teachers (one from each of the schools), five members from the community-at-large, elected by the eight parents, two

¹⁸Rhody McCoy, "The Year of the Dragon," an edited version of an unpublished paper presented at the Conference on Educational Subsystems, Harvard University Graduate School of Education, January 24-26, 1969; excerpts in Confrontation, Berube and Gittell eds., p. 55.

¹⁹Karp, "School Decentralization," Confrontation, Berube and Gittell eds., p. 66.

principals elected by the supervisors in the district, and one professional educator from a university faculty selected by the entire board.²⁰

The Board of Education agreed to the proposal "in principle," and at the end of April announced that it proposed to set up "demonstration projects."²¹ Richard Karp, commenting on the policy statement, has written, "By holding out the promise of local involvement rather than control, the Board had perpetuated its authority; by putting some unruly communities in the "demonstration" category, it hoped to make them docile creatures of the Board of Education."²²

The actual organization of the units did not begin until July 1967. At that time the Board announced that three units would be involved in the experiment: "schools in East Harlem, including the controversial Intermediate School 201; the Ocean Hill-Brownsville section of Brooklyn; and the Two Bridges area of Manhattan's Lower East Side."²³ Also included was a single school in the Bedford-Stuyvesant section of Brooklyn. The units were to be run by locally elected boards composed along the lines suggested at the earlier meeting. The authority of the local boards would include "selection of administrators to head units,

²⁰Ibid., p. 67. ²¹New York Times, 1 March 1967.

²²Karp, "School Decentralization," Confrontation, Berube and Gittell eds., p. 67.

²³New York Times, 6 July 1967.

participation in setting educational policy for areas and control of funds allotted by the city-wide school board. In at least one unit, the new governing board will have the power to recruit and select teachers and supervisors, but within the framework of established standards."²⁴

Following the approval of the districts the Ford Foundation provided planning grants totaling \$135,000. The IS 201 district was to get \$51,000; Ocean Hill-Brownsville \$44,000; and the Two Bridges project \$40,000. These funds were provided for the districts to run elections, and to hire consultants for advice on curriculum planning, community organization, and legal matters.²⁵

Summer '67: Metamorphosis - from
Planning Council to Local Governing Board
Planning Stage - Abandonment of MES

After receiving the Ford funding the Ocean Hill people were given a twenty-six day timetable to submit a plan for the operation of the district. The Planning Council completed its task on July 29 and submitted the proposal to the Board of Education in August.²⁶

²⁴Ibid.

²⁵Mario Fantini, Marilyn Gittell, and Richard Magat, Community Control and the Urban School, with an Introduction by Kenneth Clark, (New York: Praeger, 1970), p. 147.

²⁶Excerpts from the Niemeyer Report Ch. II, appear in Confrontation, Berube and Gittell eds., pp. 24-25.

For the most part the proposed powers and responsibilities to be granted to the district were the same as those suggested in the guidelines drafted in March when Superintendent Donovan had agreed "in principle."²⁷ These included the responsibility "for selecting and recommending for appointment a project administrator;" and the power to determine "policy for the guidance of the project administrator in areas of curriculum, program and professional personnel."²⁸

More significantly for later events, the plan had dropped many of the specific educational programs that the teachers had been bargaining for. Eugenia Kemble, staff writer for the United Federation of Teachers, said;

An early version of the plan itself contained a number of provisions for special programs including the increase of specialists in the schools, special reading programs, committees of parents and teachers at each grade level to discuss standards and goals of curriculum regularly, school-wide parent-teacher councils, adult education programs, and the reorganizing of each elementary school into an MES school.

It was precisely this deleted part of the plan that the teachers thought was particularly valuable, and it was with these features in mind that the UFT had urged the teachers into cooperation in the initial phases of the planning. They felt that administrative change

²⁷See Confrontation, Berube and Gittell eds., pp. 19-24, "Draft Guidelines for a Demonstration Project," for proposed powers.

²⁸Excerpts from Niemeyer Ch. II, Confrontation, Berube and Gittell eds., pp. 25-26.

without additional substantive programs would not erase the inadequate features of the schools.²⁹

It has been asserted that the abandonment of these educational programs by the Ocean Hill people was the consequence of a meeting which they had with Superintendent Donovan before submitting the plan. At the meeting Dr. Donovan is alleged to have put forth the argument that the "missing ingredient" in the schools was "control by local groups of their own destinies;" furthermore that anyone could improve the schools with more money. Donovan was therefore willing to grant the demand for control at the cost of dropping the demand for increased funds which the programs would have necessitated.³⁰

This disagreement over the final plan marked the beginning of what proved to be a summer of increasing antagonisms between the teachers' representatives and the community representatives. Among the major issues to arise and deepen the rift between these two factions were teacher representation on the governing board, teacher responsibility to the board, tenure, evaluation, and supervision of school staff, and the legality of the decentralization procedures in

²⁹Eugenia Kemble, "Ocean Hill-Brownsville," Confrontation, Berube and Gittell eds., pp.35-36. Reprinted from the United Teacher, official publication of the United Federation of Teachers, Local 2, AFL-CIO, December 20, 1967.

³⁰Albert Shanker, interview in Urofsky ed., Why Teachers Strike, p. 173.

organizing the district.³¹ These issues continued to plague the governing board until the final withdrawal of the teachers from the board in September.

Elections

After submitting the plan to the Board of Education the planning council began moving to set up elections for the governing board. They were faced immediately with a problem when they attempted to obtain the names and addresses of parents and students in the district. This information was contained in the files of the Board of Education. Upon request for access to the files the Ocean Hill representatives were told that they could get the lists only by hiring two Board of Education secretaries to go through the files. As it turned out the secretaries were on vacation, and this from the Board's point of view meant that the community would have to postpone the elections.³²

Rhody McCoy, who at this time had been involved in the Ocean Hill district as a prospective principal for IS 55, explained how the community overcame this obstacle:

An information sheet was distributed, and a cadre of parents and community people went from door to door and held innumerable meetings to inform the community. Signatures attesting that the program had been explained to them were required of parents. They were

³¹Rhody McCoy, "The Year of the Dragon," Confrontation, Berube and Gittell eds., p. 56.

³²Karp, "School Decentralization," Confrontation, Berube and Gittell eds., p. 68.

requested to indicate their approval or disapproval of the concept. Coincidental with this was a petition inviting parents to nominate candidates to the governing board. A community population of approximately 3,100 families yielded 2,200 signatures. The election process was then launched with posters, newspaper articles, flyers, radio announcements, television broadcasts, mass meetings, and church announcements.³³

The parent elections for the governing board were held August 3, 1967. The balloting was supervised by the Bank Street College of Education, The Human Resources Administration, and by the Police Department. At least four candidates had been nominated for each of the seven schools then in operation in the district. The elected parents were Mrs. Clara Marshall, later to become vice chairman; Mrs. Blanche Pile, Mrs. Hattie Bishop, Mrs. Elaine Rocke, Mrs. Agnes Hanson, Mrs. Lillian Davis, and Mrs. Wilda Henderson. There were 1,049 parents who cast votes in the election.³⁴

In accordance with the plan for the organization of the board the elected parents proceeded to select representatives from the community-at-large. To fill these five positions they chose Rev. C. Herbert Oliver, who became chairman, Walter Lynch, Father John Powis, State Assemblyman Samuel Wright, and Mrs. Dolores Torres.³⁵ The teacher

³³McCoy, "The Year of the Dragon," Confrontation, Berube and Gittell eds., p. 55.

³⁴Fred Ferretti, "Who's to Blame in the School Strike," Confrontation, Berube and Gittell eds., p. 290. Reprinted from New York Magazine, November 18, 1968.

³⁵Ibid.

representatives on the board were those who had been temporarily appointed by the teachers in the schools before the closing for the summer recess to work with the planning phase.

Because the teachers on the board had not in fact been selected by the teachers as governing board members there was some uncertainty as to how they should function. The community members recognized them as members of the board but the teacher representatives were reluctant to participate fully without approval of the teachers, which would not be forthcoming until September. Eventually what happened was that they voted with the board when they chose to and abstained at other times. This vacillating caused friction among the board members, which hindered the functioning of the board. Another contributing factor which caused the teachers to be hesitant about becoming completely involved in the operations of the local board was that the board was never "officially" recognized by the Board of Education.

Rhody McCoy, commenting on the recognition of the board, said:

On August 4, when Dr. Donovan returned from vacation, I remember a meeting down at the Board, and all the governing board and its representatives walked into this big meeting with all these stalwarts of education and said, these are our governing board members, and Dr. Donovan said, "My God, what have you people done?" Then after some sort of reflection, he decided that we did it in good faith, so he allowed it to stand up.³⁶

³⁶Rhody McCoy, interview in Urofsky ed., Why Teachers Strike, p. 115.

Superintendent Donovan later said, "We never recognized the board officially but we dealt with it, unofficially; it was kind of a de facto matter that came before us. We never approved the election, we never conducted it. But they did elect their board, and so we said, if they've elected them in the finest possible way or not, let's deal with them anyway. We have ever since dealt with them on an off-and-on basis."³⁷

Appointment of Unit Administrator

As its first function, the duly elected governing board, was to select and recommend candidates for the chief administrative offices in the district, the "Unit Administrator" and the principals, to the Board of Education. Two candidates emerged as possible candidates for the position of unit administrator. Rhody A. McCoy, Black, a former principal of a school for disturbed children, was the community's choice. McCoy had originally been recruited as a candidate for the principalship of IS 55, but with the creation of the district the steering committee recommended him to head the district.³⁸ Jack Bloomfield, white, principal of JHS 271, the largest school in the district, was the choice of the teachers and supervisors to head the project. According to Walter Lynch, a governing board member,

³⁷Bernard Donovan, interview in Urofsky ed., Why Teachers Strike, p. 195.

³⁸Rhody McCoy, interview in Urofsky ed., Why Teachers Strike, p. 113.

the teachers let it be known that, "If Jack got to be unit administrator they'd stay and work in the program here. If not, they'd leave."³⁹ The vote of the governing board favored McCoy and since he was their choice they submitted only his name to the Board of Education for approval, believing that if they had submitted more than one name to the Board it would have meant that the Board was deciding who the administrator would be rather than the community.

Appointment of Principals

When the governing board began selecting candidates for the positions of principal again dissension emerged between the two major factions on the governing board. By this time the teachers realized that they could be outvoted and so rather than openly opposing the candidates for principalships they abstained from voting, supposedly because they did not feel that they had been empowered to select principals.⁴⁰

The major disputes which surfaced during the selection of principals resulted from the board's desire to choose personnel who were not on the Board of Examiners' list of eligible candidates and a question of the character of one of the proposed candidates. At an August 11th news conference McCoy and members of the governing board contended that the authority to name principals not on the Board's

³⁹Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 291.

⁴⁰New York Times, 2 September 1967.

eligibility list "was central to the unit's scheme of operation." These positions were open because of the unwillingness of the principals then in the schools in question to participate in the project. The board noted that few Black candidates were on the lists and reasoned that the appointment of principals by the board would assure their "accountability" to the community.⁴¹

The governing board threatened to close the schools if they were not allowed to select the desired principals. This pressure caused Superintendent Donovan to request State Commissioner of Education James E. Allen Jr., to create a new position of "Demonstration elementary school principal." This request was granted by Allen, who said the Board could establish a "special kind and grade" of principal's license for the district's schools.⁴² The Council of Supervisory Associations immediately contested this decision by Dr. Allen and filed suit against the State Commissioner, the Board of Education, and the local governing board.⁴³

The five appointees of the governing board were Luis Fuentes, William Harris, Irving Gerber, Faulkner Watts, and

⁴¹New York Times, 12 August 1967.

⁴²New York Times, 22 August 1967.

⁴³New York Times, 30 August 1967. NOTE: "The Council of Supervisory Associations (CSA), was organized in 1962; it is a professional organization made up of the various individual supervisory associations." From "Education: The Decentralization-Community Control Controversy," Marilyn Gittell, Race and Politics in New York City, Jewel Bellush and Stephen M. David eds., (New York: Praeger, 1971), p. 140.

Herman Ferguson. It was the appointment of Ferguson, at McCoy's request, which caused the final breakdown and withdrawal of the teachers from the local board. Ferguson was selected to head IS 55. He had taught or supervised in the city for 20 years. He was a specialist in social studies, had worked with physically handicapped children, and had directed various Head Start programs.⁴⁴ The controversy surrounding Ferguson arose because he had been suspended from his position as assistant principal of PS 40 in June after being charged as part of an alleged plot by the "Revolutionary Action Movement" to kill Roy Wilkins, executive director of the National Association for the Advancement of Colored People, and Whitney Young Jr., director of the National Urban League.⁴⁵

Eugenia Kemble explained the teachers' abstention from voting on the principals:

They were worried that the appointment of such a controversial figure as Ferguson might cast doubt on the nature of the project. Teachers abstained from voting, saying that they had no right to vote, but at the same time allowing a vote to be registered so that they could not be accused of blocking the project.⁴⁶

Nevertheless, the Board of Education approved four of the five candidates. The lone rejection was Herman Ferguson.

⁴⁴New York Times, 2 September 1967.

⁴⁵New York Times, 25 August 1967.

⁴⁶Kemble, "Ocean Hill-Brownsville," Confrontation, Berube and Gittell eds., p. 43.

The reason for not approving Ferguson, the Board argued, was that no vacancy existed at IS 55 which was not to be opened until January.⁴⁷ The appointment of the principals meant that now the administrative structure of the Ocean Hill-Brownsville district was ready for the September opening of schools.

⁴⁷New York Times, 6 September 1967.

CHAPTER TWO

NO MORE LIES

Year of Revelations '67 - '68

During its first year of operation many of the groups within the established powers which had been supporting the concept of 'community control' in theory abandoned the project once it got under way. These pseudo-supporters dropped their pretensions once it became clear to them that the community was indeed seizing decision-making power to which they would be subjected. From quasi-supporters these groups became eager antagonists of the movement.

The attack on the groups supporting community control came in two phases. The first offensive began in the fall of 1967 and was waged in the schools and courts. The second offensive began in the early spring of 1968 and continued until the closing of the schools in June. During this period the battleground was the Ocean Hill district schools and the State Legislature in Albany. Between these two major offensives was a comparative lull in which the anti-community control forces waged a protracted struggle in the Ocean Hill schools.

Before the confrontation began the governing board completed its selection of principals. The district now

had three Black principals, two white principals, and the first Puerto Rican principal in the city's history. As the confrontation progressed the governing board was to add a fourth Black principal (with the opening of IS 55), and the city's first Chinese principal (with the reassignment of Jack Bloomfield from JHS 271).¹ This cadre headed by unit administrator Rhody McCoy and the governing board was to defend the Ocean Hill-Brownsville community in the ensuing battle.

Fall Strike: An Abnormal Beginning

During the first week of September, 1967, the teacher representatives on the governing board, who had been numerically at a disadvantage in the negotiations during the summer, found added strength and support from the teachers returning from summer vacation. They began to openly express their resentment toward the community control of the board, charging the board as being undemocratic and as having undergone a Black Power take-over.² At this time, however, the United Federation of Teachers, the backbone of the teacher representatives, was having contract negotiations with the Board of Education. Because these negotiations were the primary concern of the UFT, it was

¹Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 286.

²McCoy, "Year of the Dragon," Confrontation. Berube and Gittell eds., p. 57.

willing to resolve its grievances with the Ocean Hill board in order to gain its support.

The union held that the key issues in the negotiations were pay increases and smaller classes. These two issues were not opposed by the governing board. However, another demand of the teachers' union was that "teachers have the right to exclude disruptive children from their classrooms, without waiting for the principal to decide how much trouble such an action might cause him..."³ This demand had been criticized as being subtly racist. When the possibility of the strike appeared imminent the union approached the board and offered a compromise that for support of the strike the union would give support to the community control concept. The community refused the compromise.⁴

On the opening day of school, September 11, 1967, the teachers began what was to become a two-week strike with only 11,662 of 57,644 assigned teachers reporting to work.⁵ In August the local board had determined, in the event of a strike, to use "parents and community people" in an effort to keep the schools open.⁶ This effort coincided

³Martin Mayer, The Teachers Strike, (New York: Harper & Row, 1969), p. 30.

⁴McCoy, "Year of the Dragon," Confrontation, Berube and Gittell eds., p. 57.

⁵New York Times, 12 September 1967.

⁶McCoy, "Year of the Dragon," Confrontation, Berube and Gittell eds., p. 57.

with the efforts made by the Board of Education and made the local board appear to be anti-union.

The actions by the governing board during the initial stages of the strike reinforced the hostile attitudes that had surfaced between the white union and the Black community and prompted the resignations of the teacher representatives from the board.⁷ With the withdrawal of the teachers and supervisors from the governing board, the board was turned completely over to the community forces. The union used this to their advantage when they attempted to gain support in opposition to the movement by "busily fanning public fears that "extremism" and "black power" would prevail in the community," if the movement was not thwarted.⁸

After two exhausting weeks which saw the Ocean Hill district torn between Black and white teachers, and the teachers and the community the strike came to an end. The two outstanding issues were settled as follows:

Salary-

The starting base salary of new teachers will be increased by \$1,350 annually in two stages. The base salary to other teachers will be increased \$1,200 in two stages.

Disruptive Pupils-

If actions taken inside the school do not resolve the problem posed by a disruptive

⁷NYCLU, "The Burden," Confrontation, Berube and Gittell eds., p. 111.

⁸Karp, "School Decentralization," Confrontation, Berube and Gittell eds., p. 70.

child, the teacher may appeal to the district superintendent, who will set up "an appropriate procedure for review and disposition of such cases."

If the district superintendent's actions do not relieve the problem, in the opinion of the teacher, the teacher may then appeal to a special panel that will be set up in each district.

The panel will consist of a teacher selected by the local school board from nominations submitted by the district superintendent who will be employed in the field of psychology, social work or counseling. The panel will make recommendations to the Superintendent of Schools, who will make the final decision.⁹

Having failed to expand the More Effective Schools Program as part of the deal with the Ocean Hill-Brownsville planning council, the UFT took the issue into the strike negotiations. Again the Board of Education stated that it could not double the number of union-approved schools. This time the Board did promise to allocate \$10 million for the 1968-69 school year for developing programs for the elementary schools.¹⁰

Following the settlement the teachers that had struck the Ocean Hill district, realizing the bitterness that the strike had evoked, were reluctant to return to the district. At a union meeting Albert Shanker, president of the United Federation of Teachers, and Sandra Feldman, who had served as a teacher representative on the governing board, urged the teachers to return and give the demonstration project

⁹New York Times, 28 September 1967.

¹⁰New York Times, 27 September 1967.

a chance.¹¹ They agreed to return to the schools.

After having lost the preliminary bout in the spring, while siding with the community to exact its demands for more funds from the Board of Education, the union had recovered to win round one of the official contest. The United Federation of Teachers now decided to make a new ally out of an old opponent, the Council of Supervisory Associations (CSA). In the past the CSA had operated as a union of foremen, carrying out the orders of the Board of Education while supervising the laboring teachers. Now with the possibility of a transfer of power these two groups realized that their common interests in maintaining some semblance of the status quo because of their tradition of effectively dealing with the power as wielded by the Board of Education, and their uncertainty as to how it would be exercised by the Black community. Together these two groups pursued the quest for power which pitted them against the Board of Education as well as the Ocean Hill-Bronxville governing board.

The Interlude

In the early months of the school year, which followed the September '67 strike, the Council of Supervisory Associations and the United Federation of Teachers continued in their efforts to sabotage the experiment. The union teachers in the district carried on an unceasing battle

¹¹Mayer, The Teachers Strike, p. 31.

with the teachers that had supported the efforts by the community to keep the schools open during the strike. Not recognizing the authority of the local board appointed principals, the union teachers looked to the union heads within each school for directives.

As the conflicts and antagonisms increased the union teachers became less willing to remain in the project. The main reason that they had remained to this point was because of a school regulation that only 5% of the faculty could transfer out of a school each year. However the teachers in the district were soon removed from this restriction. At the beginning of the year about 200 out of 600 teachers had left the district.¹² Both Albert Shanker and Bernard Donovan commented on this change in policy during their interviews at the State University of New York at Albany. Shanker said:

Because of the fact that there was a new procedure in these districts for getting rid of people and because of the fact that there was a kind of hysteria that swept through the districts, Dr. Donovan promised all teachers in the demonstrations that teaching in the demonstrations would be voluntary. In other words, anybody who wanted to transfer out could get out.¹³

Superintendent Donovan said:

When we set up the Ocean Hill-Brownsville Demonstration District, the 201 District, and the Twin Bridges District we publicly stated

¹²Shanker, Interview in Urofsky ed., Why Teachers Strike, p. 168.

¹³Ibid., p. 167.

that since this was being set up as an experiment, no teacher had to stay there who didn't want to go under this experiment. You know you can't take an experiment and drop it on people and say you are going to be a part of the guinea pigs of this experiment.¹⁴

The negotiations between the union and the Board arising from the increased hostilities in the district was settled by a plan which would allow teachers to transfer out at two points during each school year for the duration of the experiment.¹⁵

To compound the problem of finding new replacements for the more experienced teachers who were constantly transferring out of the district the governing board was also hit with the resignation of the administrative staff. As part of its punishment of the district for hiring principals not on the eligibility lists the Council of Supervisory Associations requested that its members abandon the project. In November eighteen of the twenty-one assistant principals left Ocean Hill.¹⁶ When the governing board asked Superintendent Donovan and the State Commissioner to apply the concept of 'demonstration' principal to the assistant principal positions they were denied, which meant that the new assistants had to come from the list of administrators created by

¹⁴Donovan, interview in Urofsky ed., Why Teachers Strike, p. 193.

¹⁵NYCLU, "The Burden," Confrontation, Berube and Gittell eds., p. 112.

¹⁶Ibid.

the Board of Examiners.¹⁷

The Bundy Report

A lull in the head-to-head confrontation between the schools' governing board and the unions came when the attention of the teachers' union was redirected towards the Bundy report. The Mayor had appointed the panel, headed by McGeorge Bundy, in April 1967 to:

prepare a comprehensive study and report and formulate a plan for the creation and redevelopment of an educational policy and administrative units within the city school district of the City of New York with adequate authority to foster greater community initiative and participation in the development of education policy for the public schools ... and to achieve greater flexibility in the administration of such schools,...¹⁸

The panel issued its report, "Reconnection for Learning," in November. In a statement to the Mayor the panel said:

The essence of the plan we propose is that the present centralized system should be reformed by a clear grant of new authority to Community School Boards, partly chosen by parents and partly chosen by the Mayor and a central educational agency. We believe these school boards should have the power to appoint and remove Community Superintendents. Together the Community Board and the Community Superintendent should have a new and wider authority over budget, curriculum, personnel, and educational policy in the schools of the district.¹⁹

Essentially the plan supported strong decentralization.

¹⁷Niemeyer, Confrontation, Berube and Gittell eds., p. 29.

¹⁸Mayor's Advisory Panel on Decentralization of the New York City Schools, Reconnection for Learning: A Community School System For New York City, McGeorge Bundy, Chairman, (New York: Praeger, 1969), p. IX.

¹⁹Ibid., p. VI.

While not actually giving complete community control, it would have created from thirty to sixty semiautonomous school districts functioning as a federation attached to the central board. Besides the above mentioned powers the plan also recommended the abolition of the Board of Examiners and replacing it with a certification exam similar to the state exam.²⁰

Some of its more significant recommendations which appeared in its "Summary of Recommendations" are listed below:

The New York City public schools should be reorganized into a Community School System, consisting of a federation of largely autonomous school districts and a central education agency. (section 2).

From thirty to no more than sixty Community School Districts should be created, ranging in size from about 12,000 to 40,000 pupils.... (section 3).

The Community School Districts should have authority for all regular elementary and secondary education within their boundaries and responsibility for adhering to state education standards. (section 6).

The State Commissioner of Education and the city's central agency should retain their responsibilities for the maintenance of educational standards in all public schools in the city. (section 8 and 19).

The Community School Districts should be governed by boards of education selected in part by parents and in part by the Mayor from lists of candidates maintained by the central education agency, and membership on the boards should be open to parent and non-parent residents of a district. (section 5).

Community School Districts should receive a total annual allocation of operating funds, determined by an objective and equitable formula,

²⁰Gittell, "Education," Race and Politics, Bellush and David eds., p. 149.

which they should be permitted to use with the widest possible discretion within educational standards and goals and union contract obligations. (section 15).

Community School Districts should have broad personnel powers, including the hiring of a community superintendent on a contract basis. (section 6a and 9).

All existing tenure rights of teachers and supervisory personnel should be preserved as the reorganized system goes into effect. Thereafter tenure of new personnel employed in a particular District should be awarded by the District. (section 11).²¹

The Bundy recommendations were immediately faced with opposition from the Board of Education, the United Federation of Teachers, and the Council of Supervisory Associations. The Board charged that hiring by thirty to sixty districts could "increase political, racial and religious interference in the selection process." Albert Shanker said, if the plan were enacted it would promote "years of chaos and eventual destruction of the city's school system." Furthermore he asserted that the personnel proposals represented the "greatest piece of political patronage ever perpetuated."²²

The Council of Supervisory Associations publicly declared its position on the Bundy recommendations in an Interim Report. It said that the proposed districts were "artificially created areas" and that the plan's "entire rationale is founded on a rather questionable assumption

²¹Mayor's Advisory Panel, Reconnection, p. XIII-XIV.

²²New York Times, 10 November 1967.

that smaller districts would... function like those in suburban communities."²³ The Council went on to say:

We are in the midst of a progressive social revolution, and changes in public education must be part of that revolution. The approach of the Bundy Report is a superficial one in that it focuses on the schools alone without regard, except for incidental references, to other institutions or forces. It assumes that current social unrest can be appeased by an administrative restructuring of the school system.²⁴

These criticisms reflect the growing paranoia that infected the UFT and CSA, and charge the panel with omissions which it was not organized to cover. It was never the intention of the panel to make a survey of the "progressive social revolution" that was allegedly occurring in New York City. Nor was the panel created to deal with social unrest. As explained earlier, the motivation behind the panel was that a decentralized school district would mean increased funding.

The Mayor accepted the Bundy findings and in accordance with his December 1, deadline submitted a slightly modified version of it to the State Legislature at the end of November. The modified version submitted by the Mayor "kept central control over the high schools and hiring, and imposed statewide, rather than Board of Examiners',

²³Council of Supervisory Associations, "Interim Report No. 2, January, 1968: The Bundy Plan," The Politics of Urban Education, Marilyn Gittell and Alan G. Hevesi eds., (New York: Praeger, 1969), p. 278.

²⁴Ibid., p. 281.

qualifications for applicants."²⁵

Rinaldi Court

In November the proceedings in the suit by the Council of Supervisory Associations got underway in Kings County Supreme Court, Justice Dominic S. Rinaldi presiding. At the hearing UFT president Albert Shanker filed a petition in support of the CSA which was dismissed "on the ground that Mr. Shanker was not party to the dispute." The court held that what was at issue was whether or not a demonstration principal was essentially the same as a regular elementary school principal. Justice Rinaldi said that the Board "may not, under the pretext of labeling a position with another name, disregard the rights of eligibles...."²⁶

Winter Turbulance

Throughout the fall and winter the local governing board of Ocean Hill-Brownsville was faced with opposition on two fronts. On the one front was the Board of Education, which refused to clearly delineate the powers of the local board. This refusal in effect saddled the local board with responsibility without authority. In fact it had taken four months before the Board of Education had granted the unit administrator a telephone.²⁷

On the second front the local governing board had

²⁵Urofsky, Why Teachers Strike, p. 13.

²⁶New York Times, 18 November 1967.

²⁷Urofsky, Why Teachers Strike, p. 14.

to contend with the teachers in the UFT who were undermining the program through insubordination and general neglect of duty. Throughout the winter the problems centered around JHS 271 with minor skirmishes at newly opened IS 55. Following his defeat, as a candidate for unit administrator, Jack Bloomfield, a principal at JHS 271, had requested the Board of Education to transfer him out of the district. This move was made to avoid the conflict that would come from divided loyalties that the staff would have towards him and McCoy. The Board persuaded Bloomfield to stay in the district for another six months.²⁸

After the February term break, Bloomfield was finally transferred out of the district. Thirty teachers, all of the assistant principals and five of the school's six secretaries left with him.²⁹ Rhody McCoy felt that William Harris, appointed principal of JHS 178, was his best man and decided to reassign him to Bloomfield's position. This decision drew opposition from two directions. First the teachers at JHS 178 presented McCoy with a position statement that Harris be moved to IS 55 with them and become its new principal rather than Herman Ferguson.³⁰ McCoy refused this

²⁸Karp, "School Decentralization," Confrontation, Berube and Gittell eds., p. 69.

²⁹Sol Stern, "Scab Teachers," Confrontation, Berube and Gittell eds., p. 189.

³⁰Kemble, "Ocean Hill," Confrontation, Berube and Gittell eds., p. 46.

request. McCoy's decision to shift Harris was not accepted by the Board of Education which asserted that Commissioner Allen had only authorized "elementary" demonstration school principals. McCoy disregarded the Board's decision and "recognized" Harris as the new principal.³¹

When Harris took over, as the first Black male principal of a New York secondary school, the school was in a chaotic state. Martin Mayer reported on this situation:

Thirty teachers - a quarter of the staff - had transferred out, and the Board of Education had found only sixteen replacements. Five of the six secretaries had left; all the assistant principals were new; forty sets of keys were missing. Absenteeism ran from ten to twenty-five teachers a day; often there were simply not enough adult bodies in the building to man the classrooms for seventeen hundred students, let alone to chase the kids out of the halls. Fires broke-out mysteriously, several every week, and the culprits could not be found. Furniture was thrown from third floor windows, paint flew around art rooms, vandalism and thievery were everywhere.³²

To compound these problems was the presence of Frederick Nauman, union chapter head in the school. Nauman had developed a special relationship with Bloomfield in which he was only required to teach two classes per week. The rest of the time he spent on union business. Harris discontinued these privileges to the displeasure of Nauman. Most of the union teachers felt more loyalty towards Nauman than Harris and

³¹Mayer, The Teachers Strike, p. 34.

³²Ibid., pp. 34-35.

this tended to undermine his authority.³³

Fred Ferretti also reported on the turmoil in the district during the last months of the winter:

During the months of March and April (1968), particularly at JHS 271, the majority of UFT teachers stopped teaching and even supervising. Twenty-five fires occurred at JHS 271 in April. Some teachers told Puerto Rican students that the school was now only for blacks. Many of the teachers and assistant principals refused to respect the authority of McCoy or the principals.³⁴

The events of the winter further clarified the issues of the transfer of power that had been vaguely stated when the experiment in community control went into operation. The obstacles that confronted the governing board when organizing the administrative staff and when attempting to obtain cooperation from the teachers further solidified the alignments in preparation for the second onslaught.

Spring '68: A Befitting End

Following the winter of conflict and sabotage, which effectively damaged any hopes of improved education that the first year of the experiment might have brought, the battle continued into the spring. In the spring the Ocean Hill-Brownsville governing board continued to fight on two fronts. At this time the State Legislature replaced the Board of Education on one front.

³³Stern, "Scab Teachers," Confrontation, Berube and Gittell eds., p.189.

³⁴Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p.295.

The events that transpired in Albany must be seen as distinct from those inside the Ocean Hill district. The conflict at Albany was between various groups within the establishment over an acceptable method of decentralizing the school system. All of the involved groups espoused some form of "decentralization." The disputes within the Ocean Hill district emanated from the exercise of power by the local governing board. The conflict was, therefore, between those groups supporting 'community control' and those opposed to it.

Rinaldi Ruling

During the spring '68 the main battles in the community control controversy were waged inside of the Ocean Hill district and in the state capitol at Albany. Before these battles got underway Justice Dominic Rinaldi issued his decision in the suit by the Council of Supervisory Associations over the hiring of the Ocean Hill principals.

In a 21-page opinion, issued March 4, 1968, Justice Rinaldi declared the appointments outside the normal civil service listings illegal and directed that the positions be deemed vacant. Rinaldi said:

There is nothing in the record to indicate that the service to be rendered by a demonstration principal is any different than an elementary school principal. I cannot accordingly view the actions of the Board of Education as a creation of a new position but see it only as the labeling of an old job with a new name.³⁵

³⁵New York Times, 5 March 1968.

Still playing the role of the misunderstood friend of the community control movement, on March 5 Frederick Nauman sent a letter with 115 teachers signatures attached to it to the president of the Board of Education. Nauman requested that the Board appeal the decision and retain the principals pending the results of the last possible appeal.³⁶

The Albany Front

In the early spring of 1968 efforts were being made in Albany to produce an acceptable decentralization plan for the New York City school system. The initial plan introduced to the state legislature was that of Mayor Lindsay's modified Bundy Plan. In March the New York State Board of Regents, the highest education authority in the state, introduced another plan. The Regents' plan differed from Lindsay's in that it would create a less-powerful five-man board to replace the nine-man Board of Education, and would create 8 to 20 locally governed community school districts by July 1, 1970.³⁷ This plan was supported by the Mayor and Governor Rockefeller but opposed by the UFT, CSA and school Board.

Once it became evident to the State legislators how formidable each side in the controversy was, the legislators attempted to produce a weaker compromise bill. State Senator John J. Marchi, Staten Island Republican, chairman of the Senate Committee on the City of New York, introduced two

³⁶ Mayer, Why Teachers Strike, p. 34.

³⁷ New York Times, 3 May 1968.

decentralization bills to the Legislature:

The first bill-

would call for the existing Board of Education to produce a plan by July 1, 1969, then hold public hearings on it and finally submit recommendations to the legislature for the 1970 session. This bill would provide guidelines, similar to some of the provisions of the Regents' bill, that the board would have to follow in preparing its final plan.

The second bill-

provides an interim plan for the period during which the Board of Education and Legislature would be shaping a decentralization plan. This bill would generally follow the Board of Education's own approach to delegating to existing local school boards some enhanced powers to bring them closer to the community.³⁸

The difference between the Marchi Plan and Regents' was that the Regents' would be in operation by July of 1970, while under the Marchi Plan the most that could be accomplished by that time would be the passage of a plan.³⁹

After two weeks of debate a compromise plan was reached. Under the compromise plan the Board of Education would be enlarged from 9 to 13 members to allow appointment by the Mayor of pro-decentralization members. The new Board would have one year to decentralize the system into five-to-thirty districts, with the power to hire and fire teachers, while keeping contract bargaining city-wide.⁴⁰

³⁸Ibid.

³⁹Ibid.

⁴⁰New York Times, 17 May 1968.

Before the legislators could approve the compromise plan they were hit by an intensive lobbying campaign sponsored by the United Federation of Teachers. About 500 parents and teachers went to the state assembly in Albany in a special chartered train and lobbied against passage of the bill. Albert Shanker demanded, "that the plan be revised to bar the Board of Education from delegating the power to hire and discharge teachers to the local community school districts." These lobbying efforts were reported to have cost the union \$500,000.⁴¹

Finally, during the last week of May the legislators were able to produce a plan that was acceptable to all of the active parties. The adopted plan "was in effect a one-year moratorium." It enlarged the Board of Education to thirteen members, so that Mayor Lindsay could appoint the decentralization minded members, and charged the group with the responsibility to submit a decentralization plan by the end of the coming school year.⁴²

The Ocean Hill-Brownsville Front

In early March, because of the increasing need to assert itself as the authority over the rebellious teachers, the local governing board held a public meeting at which it declared that if the Board did not accept community

⁴¹New York Times, 21 and 24 May 1968.

⁴²Urofsky, Why Teachers Strike, p. 15.

control within ten days it would end all relations with the central Board.⁴³ When the Board did not respond, three weeks later, the governing board with the support of the community called for a two-day boycott of the eight district schools. During the boycott, which was almost entirely effective in closing the schools down, the board restated its demand for recognition and authority over budget and personnel.⁴⁴

As the Ocean Hill experiment limped into May the forces for community control came to realize that the Board of Education had gone as far as it had intended to go in transferring power to the community board. The road upon which the governing board and the central Board had traveled came to a fork in May. No longer could the Board of Education speak of 'community control' while meaning 'decentralization.' The central Board had achieved what it set out to do; increase community involvement/participation in decision making. The community wanted to go beyond that auxiliary involvement and actually exercise some control.

It was now apparent that the central Board was not going to simply 'give' power to the community. The Ocean Hill board had come to realize that the power it wanted would not be peacefully transferred. In an effort to return some

⁴³Karp, "School Decentralization," Confrontation, Berube and Gittell eds., p. 73.

⁴⁴Mayer, The Teachers Strike, p. 36.

to the schools, in May, the governing board moved to purge the school district of recalcitrant teachers and supervisors.

On May 8, 1968, the Ocean Hill board ordered the unit administrator, Rhody McCoy, to send the following letter to 19 district employees (one principal, five assistant principals, and thirteen teachers) for what McCoy called "intolerable conditions and a general worsening of the situation between certain professionals and the people in the community."⁴⁵

Dear _____:

The governing board of the Ocean Hill-Brownsville demonstration school district has voted to end your employment in the schools of this district. This action was taken on the recommendation of the Personnel Committee. This termination of employment is to take effect immediately.

In the event you wish to question this action, the governing board will receive you, Friday, May 10, 1968, at 6 p.m. at Intermediate School 55, 2021 Bergen Street, Brooklyn.

You will report Friday morning to Personnel, 110 Livingston Street, Brooklyn, for reassignment.⁴⁶

This transferral of personnel was the most decisive measure taken by the governing board since its inception. For the Ocean Hill-Brownsville community control movement it marked the point of no return. Any turning back after that point would have meant the death of the movement and complete capitulation to the opposition. Because this decision was so important to the events which followed, an understanding of it is crucial.

⁴⁵Niemeyer, "Excerpts," Confrontation, Berube and Gittell eds., pp. 101-02.

⁴⁶Text of letter, Confrontation, Berube and Gittell eds., p. 33.

The groups opposing community control interpreted the transfers of the personnel as dismissals and contended that the governing board did not have the power to fire anyone. Because the unit administrator's rank was equivalent to that of a district superintendent the opposition questioned his authority to transfer personnel out of the district. Some authorities later contended that Superintendent Donovan had offered to quietly transfer the personnel out before he realized who was actually going to be transferred. The problem in interpreting the action of the governing board results from the fact that the local board prepared charges against the teachers. In New York City charges were only necessary in the case of firings. The forces for community control said that the charges were presented only after Shanker and Donovan stated that the transfers would be approved only after the charges were submitted.

What follows is an interpretation of the boards action by some of the key figures:

Superintendent Donovan-

What Mr. McCoy did at that time was to simply notify us that nineteen teachers were not desired in his district and he ordered them to report to central headquarters.... When McCoy told nineteen people to go down to the Central Board headquarters, that was tantamount to firing them, because no other district particularly wanted them at that moment either. It wasn't a matter of transferring, since another district had to agree to take them.

Albert Shanker-

The Superintendent of Ocean Hill-Brownsville has

no more right to transfer a teacher to another district than the superintendent of Yonkers has a right to transfer a teacher to Poughkeepsie.

These people weren't transferred. There is no such thing as that kind of a transfer. They were bounced. He was ousting them.

Herbert Oliver-

After exhausting every other method to try to bring about a situation in our schools where we could control the chaos, we came to the conclusion that we had to take the action that we did. That was to transfer out of our district and refer to the Board of Education the personnel that we transferred out, nineteen in number. They did not lose any pay. They were not threatened with a loss of pay.... We knew that we could not fire anyone, so we avoided that route. We decided to use a bylaw of the Board of Education and transfer out people that we felt should be transferred out.

Rhody McCoy-

We never fired anyone. It was never our intent to fire. It was our intent to get them out of our district by the most successful route under the law, to transfer them out, and that is what we did. We made that request.

...what I am saying is he, Donovan, refused to do it because of the political implications.⁴⁷

At any event, Superintendent Donovan rejected the transfer requests and ordered the personnel to ignore McCoy's letter and return to the schools. When the teachers returned JHS 271 again became the battle center. The parents there blockaded the school, and vowed that none of the 19 would ever be allowed back into their schools. This blockade lasted about a week until, on May 15, the New York City

⁴⁷Bernard Donovan, pp. 192, 194; Albert Shanker, p. 162; Herbert Oliver, pp. 215-16; Rhody McCoy, pp. 120, 127, interviews in Urofsky ed., Why Teachers Strike.

police surrounded the school and admitted only "authorized personnel."⁴⁸

During the blockade Rhody McCoy again asked Donovan to suspend the teachers and hold a departmental hearing. This time Alfred Giardino, chairman of the Board of Education, entered the fray stating that the local board's action "constituted an illegal procedure that our board will not tolerate." The CSA, in agreement with the Board of Education, suggested that McCoy and the local board be removed.⁴⁹

By this time it was too late for the local governing board or the Board of Education to disengage in the confrontation. The momentum of the movement had moved beyond their capacity to control it and now the community residents had risen to do battle with the UFT-CSA coalition in a head-to-head confrontation. The community being predominantly Black and Puerto Rican and the UFT-CSA being predominantly white and Jewish quickly cast the confrontation into a racial conflict.

In the events that followed before the closing of schools in June, 350 of the districts' 556 teachers walked out of the schools in support of the 13 that were being barred from entering the schools.⁵⁰ The six supervisors

⁴⁸Karp, "School Decentralization," Confrontation, Berube and Gittell eds., p. 74.

⁴⁹New York Times, 11 May 1968.

⁵⁰Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 300.

voluntarily requested to be reassigned out of the district. When the teachers finally agreed to return to their classes several hundred pupils walked out of JHS 271.⁵¹

In mid-June the local governing board notified the 350 teachers to return to their positions or be replaced. When they refused to return McCoy requested that they be dismissed for "insubordination" and "extended absence from class." Again, McCoy's pleas fell on deaf ears at the Board of Education.⁵² This stalemate continued until the end of the school year. By that time the children in the Ocean Hill-Brownsville experiment had missed fifty-two school days in some schools (the 14-day September strike, the two-day April parent boycott, and 36 days in the May-June walkout).⁵³

⁵¹New York Times, 22 May 1968.

⁵²Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 300.

⁵³Niemeyer, "Excerpts," Confrontation, Berube and Gittell eds., p. 103.

CHAPTER THREE

THINGS FALL APART

Summer '68: Issues and Answers

The summer of 1968 was an eventful one for the Ocean Hill-Brownsville community control movement. During the school vacation three significant events occurred: the appointment of a pro-decentralization Board of Education; the ruling by Judge F. Rivers in favor of the United Federation of Teachers; and the recruitment of teachers by the Ocean Hill district to replace those who had walked out of the schools in the spring. These events brought together the issues in the controversy around community control, and thus almost inevitably created the conditions which would reach their tumultuous culmination in the month of September.

'New' Board of Education

The Marchi bill, which had been approved by the State Legislature in May, provided for the expansion of the 9-member Board of Education to 13 members. The purpose of this expansion was to allow Mayor Lindsay to appoint more members favorable to some form of decentralization. In July Mayor Lindsay made the appointments. Besides the four appointments which were provided for under the Marchi Plan

a fifth appointment was made. This appointment was made possible by the June resignation of Board President Alfred Giardino, who had been a staunch anti-decentralization member.¹

Mayor Lindsay's five appointees included the first Puerto Rican to serve on the Board, Hector Vasquez, executive director of the Puerto Rican Forum. Another notable appointee was the Reverend Milton A. Galamison, who had been among the leading figures during the December 1966 demonstrations at the Board of Education. The three other appointees were; William Haddad, a former Peace Corps official, who was serving as chairman of the U.S. Research and Development Corporation; Salim L. Lewis, a philanthropist and senior partner in Bear, Sterns & Co., investment bankers; and Ernest R. Minott, Black, vice-president of the United Parents Association.²

With the appointment of the five new members to the Board the 'old' Board, which had opposed decentralization, now had a majority of only one. This situation changed to favor the 'new' Board upon the resignation from the Board of Clarence Senior.³ The new Board, thus created, began

¹Berube and Gittell eds., "Due Process," Confrontation, p. 79.

²New York Times, 15 July 1968.

³Maurice Berube, "The Unschooling of New York's Children," Confrontation, Berube and Gittell eds., p. 137.

deliberations on a one-year interim decentralization plan which would go into effect in September and operate until the legislature approved a final decentralization plan in the spring.

The Board of Education adopted a decentralization plan on September 5, 1968. The plan called for a shifting of power from the central Board to the 30 school districts and three experimental projects then in operation. The powers to be transferred were;

the right to replace their superintendent; the right to recruit and hire teachers; the right to discipline and dismiss teachers accordingly; the right to modify and add to the curriculum; the right to select textbooks and prepare budget requests; the right to manage school expenditures.⁴

This plan by the Board of Education had two subsequent repercussions. On the one hand it gave the actions taken by the Ocean Hill governing board some legitimacy, even if the transfers were interpreted as dismissals. On the other hand, it was a clear manifestation by the Board that it was willing to throw the local communities into the middle of the power struggle between itself and the UFT-CSA. To the UFT-CSA coalition this meant that now it had to go beyond the Board of Education to have its grievances with the community control forces redressed.

⁴Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 305.

Judge Rivers' Decision

Before the schools had officially closed for the summer vacation in June attempts were made by Superintendent Donovan to reach an agreement which would settle the walkout caused by the transfer of the Ocean Hill personnel. When Donovan's personal efforts at negotiating a settlement failed he appealed to State Commissioner Allen to intervene. Allen said that at that time he was unable to do so but recommended mediation by Theodore Kheel, a noted labor mediator.⁵

In order to end the walkout Kheel proposed the temporary return of the teachers with relatively minor charges against them, and a temporary suspension of those teachers faced with serious charges. He also proposed that the teachers that had participated in the May-June walkout be paid for the time they were out. The UFT reluctantly accepted this arrangement.⁶ Martin Mayer gave the following interpretation of the governing board's reaction to the Kheel proposals:

On Monday, June 10, the governing board met and Assemblyman Wright delivered a furious statement.... He moved the acceptance of all of it except point four, the payment of the teachers who had struck, which in any event was the business of the Board of Education and not of the governing board. McCoy, who rarely expressed opinions at governing board meetings, and whose image to the outside world was that

⁵Mayer, The Teachers Strike, pp. 54-55.

⁶Ibid., p. 56.

of a man intent on a fair solution, undertook the reply to Wright. He denounced the Kheel proposal as an establishment trick, compulsory arbitration under a thin disguise, and he urged the members of the board to stick to their resolve that these teachers would never again teach in Ocean Hill. The meeting lasted five hours, and at its end the governing board voted 7-4 (Rev. Oliver in the majority), with four abstentions and four absences (among them Father Powis), to accept the Kheel proposals.

The next morning a small committee of the governing board met with the Board of Education, Donovan and the UFT. Rev. Oliver led the group, and at no time did he mention the vote of the night before. Instead, he presented a statement that Kheel was acceptable as a mediator, that the transferred teachers would never be permitted back in the schools, and that the governing board would not be committed to abide by Kheel's findings.... At the end of the meeting at the Board, Rev. Oliver announced to the press, in direct contradiction of the vote the night before, that the governing board had rejected the Kheel proposals.⁷

It is not certain as to whether this account is true in all details. However, the local board did reject the proposals and the use of Kheel for binding arbitration. The action by the governing board necessitated placing the dispute before Judge Francis E. Rivers, Esq., who was appointed as a trial examiner.

Prior to the beginning of the hearing the six members of the Council of Supervisory Associations, Sylvia M. Shaffer, Larry Greenberg, Joseph F. Lightcap, Paul Hirschfield, Isidor Gordon, and Josephine Burnieri, requested reassignment from the district by the Board of Education and charges

⁷Ibid., pp. 56-57.

against them were dropped.⁸ Three of the original thirteen teachers also requested to be transferred out of the district.

The hearings for the remaining ten teachers were held on May 21, May 31, June 20, June 26, July 3, and July 15, 1968. The Rivers Report states:

The charges that are presented in support of the requests for transfer will be summarized for each respondent below and can be classified into these main categories: (1) sins of omission, that is failure of a teacher to perform properly a duty, particularly failure of a teacher to control his pupils, which is charged against Douglass, Bergen, Olener, Satlow, and Galano; (2) sins of commission, that is the intentional doing of a wrong act, such as opposing openly the demonstration project (charged to Goldberg, Goodman, Nauman and Rosenthal) or inflicting corporal punishment on a student (charged to Landsman).⁹

In the report Rivers suggested that McCoy could have had the teachers transferred without a hearing "by virtue of Article II Section 101.1 of the bylaws of the Board of Education." But, since McCoy charged the teachers with "unsatisfactory service" two questions had to be considered:

- (1) Does the evidence prove that the respondent teacher breached his duty as charged in the complaint and as amended by the proof submitted?
- (2) If the teacher has been found

⁸The Rivers Report, Confrontation, Berube and Gittell eds., p. 83. Originally titled "Board of Education of the City of New York Administrative Hearing into Complaints of Rhody McCoy, Unit Administrator of Ocean Hill-Brownsville, Requesting Transfer of Teachers: Report and Recommendations of Francis E. Rivers, Esq., August 16, 1968.

⁹Ibid., p. 84.

by competent evidence to have breached his duty as a teacher, does it justify his involuntary transfer as requested as a consequence?¹⁰

Rivers went on to state an elaborate argument in which he placed the responsibility on McCoy to show firstly, that the teacher's performance had been less than the average teacher's under the same circumstances and, secondly, that the school administration had given the teacher the "duly required opportunities for help in his teaching."¹¹ The effect of the Rivers trial was to change the focus of the proceedings away from the uncooperative teachers and on to the local governing board. This it did by portraying the governing board as the culprit because of its lack of assistance to the teachers. Very effective for this purpose was the testimony of Assistant Superintendent Abraham Wilner. Wilner was called to testify as to what aid was required to have been given the teachers in order for the administration to prove it had done its part in assisting a teacher. His statement was as follows:

If evidence is presented to a principal of the inability of a teacher to control the class to such an extent as to permit fights between pupils and other disorderly actions, the principal normally would take the following steps: study the roster of the class to ascertain whether there are more than an average number of children of more than average difficulty in the class; get the school's guidance and behavior counsellors to assist with the individuals or groups in the class; visit and observe the teacher in action and make any suggestions as to how to handle disorderly

¹⁰Ibid., p. 84.

¹¹Ibid., p. 86.

and inattentive children; send for the parents of the children involved and discuss with them the behavior of the children in the classroom; and remove those children who are disorderly to such an extent as to prevent the class from operating in a normal fashion.¹²

This testimony changed the nature of the charges by the Ocean Hill board from lack of cooperation and opposition to the project to incompetence or "inability" of the teachers. It also set up very unrealistic criteria as to the obligations of the school administration during the crisis period. The charges against the teachers were subsequently dismissed because Rhody McCoy, as plaintiff, failed to show; (1) how the average teacher performed under the same situation and, (2) the type of assistance given the teachers by the principals.¹³

On August 26, 1968, Judge Rivers handed down his final decision dismissing the charges against the ten teachers because of "lack of evidence," thus denying McCoy the right to transfer any of the teachers. This decision surprised everyone, including the teachers union.¹⁴ The decision gave legal sanction to the demands of the union and added new zeal to their efforts to break the community control movement.

Ocean Hill-Brownsville Recruitment

During the summer of 1968 the Board of Education

¹²Ibid. ¹³Ibid., p. 87.

¹⁴Mayer, The Teachers Strike, p. 63.

sanctioned the recruitment of new personnel by the Ocean Hill-Brownsville governing board. Rhody McCoy, in keeping with his promise that the 350 teachers who had abandoned the students in the spring would not be allowed back into the district, attempted to recruit replacements from Black Teachers' colleges and from Puerto Rico. Through the Board of Education he arranged special 'walk-in' examinations for new teachers.¹⁵ McCoy later stated that the efforts to recruit personnel was obstructed by the Board of Education and the Board of Examiners. After going to Puerto Rico and recruiting 32 teachers to teach in the district's bi-lingual program the education bureaucracy demanded that the teachers pass a special examination. Thirty of the thirty-two teachers failed the examination.¹⁶

Before the summer vacation ended the district was able to recruit sufficient personnel to man the schools. Fred Ferretti gave a description of the new recruits:

Most of those who eventually came to Ocean Hill were youngsters, recent graduates of teachers colleges, Peace Corps alumni, Vista people... A sampling of the new teachers shows them to be young - average age twenty-four. They have majored not only in education in college, but in psychology, political science, and history. Some have masters degrees, some have graduate school credits, some

¹⁵Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 302.

¹⁶Rhody McCoy, "Education in an Urban Setting," Urban Education: Crisis or Opportunity, Sheldon Marcus and Philip D. Vairo eds., (Metuchen, N.J.: The Scarecrow Press, 1972), p. 23.

have time in law school. Many came from universities within New York City - Columbia, NYU, City College. Many come from out of state, some from Ivy League schools. Quite a few previously taught in Yeshivas. Some have teaching and guidance training and some do not. Many have done volunteer work with organizations which involved them with Black and Spanish-speaking children in urban settings. Most were products of the Board of Education's Intensive Teacher Training Program, with state certification and city licenses. Most are white and more than half are Jewish.¹⁷

In addition to these teachers the governing board also organized a para-professional cadre of some 735 parents to insure that the schools would remain open in the event of another strike.

By the end of the summer 150 of the 350 teachers that had walked out of the schools in May had requested and received transfers.¹⁸ This left the issue of the remaining 200 teachers unsettled. For the forthcoming events the recruitment of personnel in Ocean Hill left the union with two alternatives. Either the union would have to confront the district, which was no longer dependent upon union personnel, on an equal basis, or else it would have to alter its strategy and exert pressure on the Board of Education to force the governing board to take the teachers back. In September the latter alternative was chosen. The union chose to implement a city-wide strike as a means of forcing the

¹⁷Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 302.

¹⁸Ibid., p. 303.

Board of Education to yield to their demands that action be taken to allow the teachers to return to the Ocean Hill-Brownsville district.

Fall '68: Show-down

The first week of September, 1968, witnessed the show-down between the three antagonists involved in the community control controversy. On September 2, Albert Shanker revealed the power struggle that the UFT was having with the Board of Education and the Ocean Hill-Brownsville governing board when he warned that there was better than a "50-50 chance" that the union would strike the schools on opening day. He cited two demands that would have to be met in order to avoid the strike: (1) Ocean Hill would have to accept the return of the teachers; (2) the Board of Education would have to modify its pending decentralization plan so as to assure the protection of teachers in the decentralized districts.¹⁹ The same day McCoy told news men that he did not think that anything would make the teachers acceptable to the Ocean Hill community. He suggested that the State Education Commissioner designate the Ocean Hill-Brownsville project a state "experimental" district, with full personnel powers, thereby removing it from the control of the Board of Education.²⁰

Meetings were held between the disputants at the Hotel Commodore on the 5th and 6th of September. At the meetings

¹⁹New York Times, 2 September 1968.

²⁰Ibid.

the governing board asserted that it would not allow the teachers back and that it was prepared to operate the schools without the union teachers. The UFT confirmed the report that its delegate assembly had voted a city-wide strike for opening day, September 9, unless an agreement on the status of the teachers in all of the decentralized districts was reached. In response to this stand-off the Board of Education warned the Ocean Hill governing that it would close the district's schools unless it complied with the orders to re-admit the teachers, and might terminate the experiment.²¹

In a last ditch effort to avoid the confrontation, Mayor Lindsay met with the governing board at City Hall on Sunday, September 8th. The governing board had prepared the following statement for the Mayor:

Since the legal machinery of this sick society is forcing these teachers on us under threat of closing our schools and dissolving this district, the Board of Education should return any of the teachers who wish to return. Our original decision remains as before. We refuse to sell-out. If the Board of Education and Superintendent of Schools forces them to return to a community who does not want them, so be it.²²

After the statement was read to Mayor Lindsay, he suggested that the representatives of the local board and his aides re-write the statement into something more acceptable. Martin Mayer says that:

What emerged was a statement to the effect that

²¹Mayer, The Teachers Strike, pp. 63-64.

²²Ibid., p. 64.

the governing board would not consent to take the teachers back but would consent to being forced to take the teachers back.²³

Underlying this statement was the implication that the governing board could not be responsible for the actions of the community. The Mayor, believing that the governing board's statement was acceptable to the UFT, proceeded to ask the Board of Education to agree to the union's demand for the protection of teachers in decentralized districts. Two Board members, Hector Vasquez and Milton Galamison, opposed this request because the right of the parents to choose who would educate their children, to them, was fundamental to decentralization.²⁴ The Board would not consent to the Mayor's request and as the saying goes, "You didn't have to be a weatherman to forecast Monday's weather."

Strike I

On the first day of school, September 9, 1968, nearly 54,000 of the city's 57,000 teachers stayed out of the schools. Along with the 7 percent of the faculty in attendance only 4.3 percent of the pupils reported to the schools. The strike was totally effective throughout the 30 school districts but not in the experimental districts. In Ocean Hill of the 8,487 pupils enrolled 4,632 showed up for

²³Ibid., p. 65.

²⁴Jason Epstein, "The Brooklyn Dodgers," Confrontation, Berube and Gittell eds., p. 318. Reprinted from The New York Review of Books, October 10, 1968.

classes and the district had more than the 520 teachers it had expected.²⁵ In the IS 201 project only nine teachers supported the strike by not showing up.²⁶

During the first day of the strike the major issues were reduced to three: (1) the return of the 200 teachers to Ocean Hill; (2) the continuation of the Board of Education's contractual obligations and 'understandings' with the UFT under the decentralized system; (3) the provision of an agency shop in which teachers not in the union would be compelled to pay a fee to the union for serving as their bargaining agent.²⁷ The issue of "due process," which was said to have been denied the teachers in May, continued to be the union's main battle cry. Technically, under the Board of Education's bylaws, administrative involuntary transfers were permissible and not in violation of the UFT contract.²⁸ However the union seemed to be using this issue as a means of portraying the Ocean Hill community as outlaws and thereby rallying the support of the law-abiding New York community.

Negotiations to end the strike were continued throughout the day without any representation of the Ocean Hill community. During the evening the City Corporation Counsel,

²⁵New York Times, 9 September 1968.

²⁶Mayer, The Teachers Strike, p. 67.

²⁷New York Times, 9 September 1968.

²⁸Berube, "The Unschooling," Confrontation, Berube and Gittell eds., p. 137.

representing the Board of Education, obtained a court order to restrain the union from continuing the strike. The order was obtained under the provisions of the Taylor Law, prohibiting strikes by public employees.²⁹ Apparently, the Board of Education was attempting to cast the UFT into the same light of illegality as the UFT was casting the Ocean Hill governing board.

The negotiations to end the strike continued into the second day, which began with only 4,301 teachers and 211,539 pupils reporting to school.³⁰ By the end of the day the UFT-CSA and the Board of Education produced a "Memorandum of Understanding." This "understanding" settled the fate of the 200 union teachers, which had never been a real issue between the two groups. Those teachers that wished to return were allowed to do so and those that desired to be transferred from the district were to be granted transfers.³¹

The UFT-CSA emerged from the negotiations the victor. Albert Shanker said, "We have won on every basic issue and shown that we are the strongest organization in this fight."³² The terms of the settlement provided for: the return to Ocean Hill of the teachers that desired to be returned; the payment for the teachers that had walked out of the schools in May;

²⁹New York Times, 10 September 1968.

³⁰New York Times, 11 September 1968.

³¹Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 306.

³²New York Times, 11 September 1968.

the continuation of the UFT-Board of Education agreements in the decentralized districts; the organization of a 3-member arbitration panel to hear appeals of teachers disciplined; a "superseniority" clause which prohibited the involuntary transfer of union chapter chairmen, district chairmen, or executive board members, without the approval of the Superintendent of Schools.³³ The only item which the union had bargained for but did not gain was the agency shop.

When asked to comment on the settlement, the chairman of the Ocean Hill board, Rev. Oliver, said, "We have not had the privilege of seeing it. We had nothing to do with it and have not been asked to be a part of it." At the same time Rhody McCoy stated, "As far as the governing board is concerned, they're able to come back," but "the city is going to have to pay for a double staff..."³⁴

Strike II

The Teachers Return

On Wednesday, September 11, 1968, following the settlement of the two-day strike, the union teachers returned to the Ocean Hill schools. Since the community residents had not been party to the settlement they did not consider themselves bound by it. When the teachers arrived at the schools they were met by the parents who kept them from entering. At JHS 271, Robert (Sonny) Carson, chairman of the Independent Brooklyn Congress of Racial Equality (CORE), met the union

³³Ibid.

³⁴Ibid.

teachers led by Fred Nauman and informed them, "We don't want you here." The entrance to the school was blocked until the principal, William Harris, and Assistant Chief Inspector of Police, Lloyd Sealy persuaded the parents to allow the teachers to enter.³⁵

Once inside the schools the returning teachers throughout the district were ordered to report to IS 55 for a special "orientation" session with Rhody McCoy. At the meeting in the IS 55 auditorium a clash ensued between the teachers and the community residents. The exact nature of the clash is subject to dispute but it would appear that an exchange of threats and epithets took place and a general atmosphere of hostility pervaded the meeting.³⁶ The teachers were told that if they insisted on returning to the district then they

³⁵New York Times, 12 September 1968.

³⁶Saundra Feldman and Maurice Berube in "An Exchange of Views: Challenge and Reply," which appeared in Commonwealth, Gittell ed., said: "They were kept there for more than two hours, while Mr. Carson, members of Brooklyn CORE, some governing board members, and a number of young adults filed into the room. They were then subjected to taunts, vilification, verbal abuse (especially returning black teachers in the group), and threats upon their lives and the lives of their children," p. 141. Albert Shanker said: "They were told that if they did not immediately leave the district, they would be killed and carried out in pine boxes," Why Teachers Strike, Urofsky ed., p. 153. Reverend Oliver denied the accusations by the teachers, saying: "There were 150 teachers there and perhaps about 75 community people, most of them women. No one threatened their lives. Those teachers were calm and cocky, because they had won. They were back in, and some of them referred to the governing board members as pigs and laughed at them..." Ibid., p. 229.

should return to their schools at one o'clock that day.³⁷

When the teachers returned to the schools after lunch again their entrance was blocked by the residents. At JHS 271 the teachers had to obtain the assistance of the police to clear a passage through the resisters. As they entered the school groups of pupils walked out. Once inside the teachers had to be locked in a medical room for their own protection.³⁸

On Wednesday afternoon the Mayor convened a meeting with the governing board. At the meeting Rev. Herbert Oliver issued a statement by the governing board stating:

We will no longer act as a buffer between this community and the establishment. This community will control its schools and who teaches in them. We don't want the 210 teachers to return to this district.³⁹

Strike II begins

Later in the day the executive board of the United Federation of Teachers called a new strike for Thursday, September the twelfth. The UFT charged that the Ocean Hill-Brownsville district had failed to honor the first strike agreements by not allowing the teachers to resume teaching duties.⁴⁰

³⁷Mayer, The Teachers Strike, p. 71.

³⁸New York Times, 12 September 1968. ³⁹Ibid.

⁴⁰Ibid.

When the meeting between the Mayor and the Ocean Hill board ended with the governing board walking out on the talks, the Board of Education then requested intervention by State Education Commissioner James Allen Jr.⁴¹ Allen was reluctant to enter the controversy but after a 7-1 vote by the Board in favor of him coming into the dispute, he came to the city to survey the situation. Through the advice of Theodore Kheel, the labor mediator, Allen proposed a temporary truce to end the strike.

The Allen Plan

Dr. Allen's first plan was to remove what he considered "the immediate irritants" in the dispute. His plan called for the temporary suspension of the local governing board along with a temporary transfer of the 10 teachers that had originally been brought up on charges.⁴² The same day that Allen announced his plan the Mayor swore in three new members to the Board of Education, John Doar, Walter W. Straley, and Mrs. Marcia Conigliaro. As their first order of business the 13-member Board promptly suspended the Ocean Hill governing board.⁴³

The Union Reacts

On Monday, September 16th, the teachers union rejected the Allen plan. In addition to the exchange of the local

⁴¹New York Times, 13 September 1968.

⁴²New York Times, 15 September 1968.

⁴³Mayer, The Teachers Strike, p. 74.

governing board for the 10 teachers Shanker added further conditions that would have to be met in order for the union to accept the plan:

- 1) Assurances that the suspension of the local board would not be lifted before the ten teachers were reinstated to the district.
- 2) Guarantees that the 100 teachers that had supported their colleagues would be returned immediately to their assignments in the district.
- 3) Agreement that to restore "a normal educational atmosphere" in the district the Board of Education and the union would approve the appointment of neutral observers to the schools. If the schools reported cases of intimidation, harassment or threats of violence, the Board of Education and the Mayor would agree to close the schools.
- 4) Agreement that the Board of Education and the Mayor not recognize or approve actions taken against teachers by unofficial groups.⁴⁴

The Board of Education was reluctant about accepting the UFT's demands but under pressure from the Mayor and the Commissioner they conceded to the union.

Ocean Hill-Brownsville Reacts

The Ocean Hill residents saw the action by the Board of Education as a capitulation to the teachers union and an attempt to thwart the community control movement. When Superintendent Donovan, and his chief deputy Nathan Brown, sent

⁴⁴New York Times, 14 September 1968.

Rhody McCoy telegrams ordering him to "immediately remove from employment" all of the teachers hired to replace the one hundred teachers (the others had transferred out), McCoy responded by convening a parents' meeting. At the meeting held at JHS 271 McCoy told the parents:

I am responsible to the elected governing board, which hired me as an administrator. And the governing board has opposed the re-entry of the 100 teachers, and I cannot go against their will, Since I am responsible to the governing board and the community, I cannot in conscience accept any dictated terms reached by the collusion of Shanker and Donovan even if as reported, it means my job.⁴⁵

Anti-Semitism

It was at this time that it became evident to the UFT that the "due process" issue which had been used to corner the Board into opposing the Ocean Hill-Brownsville transfer of teachers, was not strong enough to make the Board end the experiment. During the second week of the second strike the issue of "anti-Semitism" was added to the "due process" issue by the UFT. The UFT was able to gain support from the wider New York City community by distributing anti-Semitic leaflets which were alleged to have been printed in Ocean Hill. The UFT-CSA thereby turned a dispute between African and Puerto Rican people and a labor union into a racial conflict in which the fate of the community control movement was at stake.

The following are two leaflets distributed by the UFT:

⁴⁵New York Times, 18 September 1968.

Tentative Plan: Parents Community Council, JHS 271, Ocean Hill-Brownsville, Ralph Poynter, chairman.

The schools in this community were built using Our money. The schools at the present time are operated by an unfriendly outside board. The teachers in Our schools are supplied by this unfriendly outside board. The teachers wages are paid using Our taxes. The equipment in Our schools were built with Our money. The children attending these schools are Our children.

We demand that we have absolute control over Our schools.

We demand that only black or Puerto Rican teachers are employed in Our schools. We demand that we have the right to hire and fire all personnel. All outsiders-teachers (baby sitters) must be released as soon as Negro or Puerto Rican educators are available. Any teacher who belongs to the UFT or any hostile group must be discharged. We demand that only locally controlled police can enter Our schools. All supplies, wherever possible, must be purchased locally from friendly sources. All repairs must be given to black or Puerto Rican contractors. All "whitey" textbooks must be burnt and replaced with decent educational material. "Whitey" art and John Birch-type social studies must be replaced by African arts and crafts and African history.

All future school construction funds must be given to the local community. All future building plans must be made by companies that employ a certain percent black or Puerto Rican personnel.⁴⁶

The following leaflet was reported to have been placed in the teachers' mailboxes at JHS 271 and PS 144:

If African History and Culture is to be taught to our children it must be done by African Americans who Identify With And Who Understand The Problem. It Is Impossible For The Middle East Murderers of Colored People to Possibly Bring To This Important Task The Insight, The Concern, The Exposing Of The Truth That Is A Must If The Years Of Brainwashing

⁴⁶"Hate Literature," Confrontation, Berube and Gittell eds., pp. 167-68.

And Self-Hatred That Has Been Taught To Our Black Children By Those Bloodsucking Exploiters and Murderers Is To Be Overcome. The Idea Behind This Program Is Beautiful, But When The Money Changers Heard About It, They Took Over, As Is Their Custom In The Black Community. If African History Is Important To Our Children To Raise Their Esteem For Themselves, Then The Only Persons Who Can Do The Job Are African American Brothers and Sisters, And Not The So-Called Liberal Jewish Friend. We Know From His Tricky, Deceitful Maneuvers That He Is Really Our Enemy and He is Responsible For The Serious Educational Retardation of Our Black Children. We Call On All Concerned Black Teachers, Parents, And Friends to Write To The Board of Education, To The Mayor, To The State Commissioner of Education To Protest The Take Over Of This Crucial Program By People Who Are Unfit By Tradition And By Inclination To Do Even An Adequate Job.

The Black Community Must Unite Itself Around The Need To Run Our Own Schools And To Control Our Own Neighborhoods Without Whitey Being Anywhere On The Scene. We Want To Make It Crystal Clear To You Outsiders And You Missionaries, The Natives Are On The Move, Look Out, Watch Out; That Backfire You Hear Might Be Your Number Has Come Up. Cut Out, Stay Out, Stay Off, Shut Up, Get Off Our Backs, Or Your Relatives In The Middle East Will Find Themselves Giving Benefits To Raise Money To Help You Get Out From The Terrible Weight Of An Enraged Black Community. [sic]

IS THIS WHAT YOU WANT FOR YOUR CHILDREN?
THE UFT SAYS NO!⁴⁷

The teachers in the Ocean Hill district responded to this second leaflet in the New York Times newspaper. Their response in part was:

In an effort to tag the Ocean Hill-Brownsville governing board with anti-Semitism, the UFT is engaged in a massive publicity campaign and is distributing UFT reprints of anti-Semitic literature. The most talked about is the one that refers to "Middle Eastern Murderers."

⁴⁷Ibid., p.168.

This is actually a composite of two separate leaflets. One signed by the purported chairman of fictitious "JHS 271 Parents Community Council," is anti-UFT and urges the exclusion of whites from teaching black and Puerto Rican children.

The other section, with its anti-Semitic references, is reproduced from a different, anonymous leaflet surreptitiously inserted in some teachers mailboxes during the May walkout (strike) that followed the involuntary transfer of nineteen teachers.

Blending these two leaflets together in this fashion is intended to imply that the demand for community control of education in a black community means: (1) firing all white teachers, (2) virulent anti-Semitism, (3) support of these doctrines by our board.

We, the undersigned teachers, are living proof that such charges are false on all counts.⁴⁸

With the union charging anti-Semitism and the Ocean Hill-Brownsville community protesting sabotage the strike continued on through the second week. In the beginning of the week a temporary truce was almost reached between the Board of Education and the UFT. The Board proposed to remove the suspension of the local governing board, to return the 110 teachers with assigned classroom duties, to allow Ocean Hill to retain the teachers it had hired, and to appoint a five-member committee to oversee the implementation of the plan and make recommendations to the Board of Education if any

⁴⁸"Anti-Semitism? - A statement by the Teachers of Ocean Hill-Brownsville to the People of New York," Confrontation, Berube and Gittell eds., pp. 170-71. For other positions on the anti-Semitism charges see; Sol Stern's "Scab Teachers," p. 177, 188 and Charles S. Isaacs' "A JHS 271 Teacher Tells It Like He Sees It," p. 202, both in Confrontation, Berube and Gittell eds.; see Urofsky's Why Teachers Strike, p. 160, for Albert Shanker's explanation.

violations occurred.⁴⁹ The Ocean Hill community which had not participated in the negotiations opposed the agreement.

Strike II Ends

The strike continued on until the weekend of September 28-29th. On Saturday, September 28th, Shanker agreed to end the strike if the five-member committee would be empowered to close the schools down rather than merely make recommendations. The Board of Education did not want to give the UFT this power (two of the panel members would have been appointees of the UFT with veto power over the others). During this week John Doar was elected president of the Board of Education. Shanker has stated that it was an agreement between him and Doar, in which Doar promised to suspend personnel and shut-down schools upon recommendations from the committee, which settled the strike.⁵⁰

The final agreement ending the strike provided for the return of 110 teachers to the Ocean Hill-Brownsville project, a revised school schedule to allow the teachers to make up lost pay, and a five-member observation team consisting of two Donovan appointees, two UFT appointees, and an "impartial" observer selected by the Mayor.⁵¹ Again the Ocean Hill board had been excluded from the negotiations.

⁴⁹New York Times, 21 September 1968.

⁵⁰Albert Shanker, interview in Urofsky ed., Why Teachers Strike, p. 154.

⁵¹New York Times, 30 September 1968.

Strike III

The Teachers Return

Following the settlement ending the second strike of the school year the New York City public schools reopened on Monday, September 30, 1968. On the first day the Ocean Hill district resembled a beseiged village. Almost 1,000 policemen were on hand to guarantee the return of the 110 teachers. Barricades had been set up for one block surrounding each of the eight schools in the district, with checkpoints through which everyone entering the schools had to pass. Special telephone cables had been hooked-up to increase communication between the schools and the observation units. John Doar and Rev. Galamison visited each school. Also present from the New York City Police Department were Chief Inspector Stanford Garelik, Assistant Chief Inspector Lloyd Sealy, and First Deputy Commissioner John Walsh.⁵²

Inside the schools, although the Board had agreed to the return of 110 teachers, only 83 reported for duty. Twenty-three teachers had requested reassignment and four were simply absent, probably waiting to see the outcome of the first day.⁵³ Reverend Oliver, speaking for the governing board, said:

We cannot comply with the agreement made

⁵²Mayer, The Teachers Strike, p. 80; see also Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 308.

⁵³New York Times, 1 October 1968.

between the Board of Education, the United Federation of Teachers and the Mayor. We plan to issue a directive to Mr. McCoy and the principals not to assign a single one of those teachers tomorrow morning.⁵⁴

When the teachers reported to work on the second day, with 300 police on hand at JHS 271, the community revolted against the occupation. As Fred Nauman and the union teachers began arriving at the school the teachers that supported the community and the students walked out of the school. Once outside of the school a clash ensued between the police and the community residents in which nine people were arrested and ten policemen injured. The students and teachers, joined by their parents, marched to IS 55, PS 144, and PS 73, where they staged demonstrations to close the schools.⁵⁵

Throughout the first week the conflict between the union teachers and the teachers who supported the community continued in the schools. The union teachers were refused teaching duties and assigned work in which they would have to assist the non-union teachers.⁵⁶ On Thursday, under pressure from the central Board and strike threats by the UFT, Rev. Galamison devised a plan that would remove the Ocean Hill experiment from the control of the Board of Education. His plan was to link the experiment with Harvard University. Under it the district would have complete autonomy from the

⁵⁴Ibid. ⁵⁵New York Times, 2 October 1968.

⁵⁶Al Shanker, interview in Urofsky ed., Why Teachers Strike, p. 154.

Board of Education. The plan provided for a graduate-credit program to train teachers for the project. The participants were to be given a one-year Harvard fellowship. Also included in the proposal was the creation of an institute for training community people to serve on the governing board, and the employment of a research agency to evaluate the project's development.⁵⁷

Shanker said the plan was "extremely dangerous" and "unacceptable unless it is significantly modified." Subsequently the UFT rejected the plan, asserting that the fellowships offered were a means of getting the teachers out of the district.⁵⁸

As the first week came to an end the UFT warned the Mayor and the Board of Education that if they did not insure the safe return of the teachers to their assigned duties a third strike would be called. On Sunday night, October 6th, probably in an attempt to disrupt the chain of command in the Ocean Hill district, the Board of Education announced a 30-day suspension of the governing board for failing to comply with its orders to reinstate the 83 teachers. The Board directed Superintendent Donovan to take control of the district's schools and for McCoy to take orders from him. Again McCoy refused to become a part of the Board's strategy of ruling the district without the governing board. McCoy

⁵⁷New York Times, 4 October 1968.

⁵⁸Ibid.

said that he would personally remove the teachers, if the governing board was removed. Donovan asserted that if McCoy or the principals prevented the return of the teachers then they too would be removed.⁵⁹

On Monday, when the teachers returned to the schools again they were refused classroom assignments. For refusing to implement the directives of the Board of Education Rhody McCoy and seven of the district's eight principals were suspended. (The eighth principal requested reassignment). McCoy's immediate response was that the Board "will have to carry me out of here."⁶⁰ The resistance to the union teachers continued throughout the week, while McCoy refused to recognize his suspension. On Wednesday, October 9th, JHS 271 was closed in response to the UFT's charges that the teachers continued to be harassed and threatened by the local board appointed teachers.⁶¹

That Friday McCoy went to the Board of Education to protest the subversion of the experiment that was taking place under the temporarily appointed principals. After a three-hour meeting Donovan said that the principals would be reinstated and JHS 271 reopened the following Monday. This

⁵⁹Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 209; also New York Times, 7 October 1968.

⁶⁰New York Times, 9 October 1968.

⁶¹Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 312.

decision by Superintendent Donovan prompted the UFT to call for the third strike of the school year, to begin on Monday, October 14th.⁶²

Strike III Begins

On October 14, 1968, the United Federation of Teachers began its third strike of the 1968-69 school year. The strike lasted slightly over four weeks (until November 17). Immediately after the strike began the UFT was given support by the Council Of Supervisory Associations and the schools' custodian union, whose members failed to report to their posts, locked school gates, and changed other locks.⁶³ During the almost five-week period proposals continued to be advanced by different groups within the establishment. Efforts to end the strike were first attempted by the Mayor, followed by the State Education Commissioner, then the UFT, and finally the Board of Education. In the end it was a plan proposed by the State Commissioner which ended the strike and in effect terminated the charade that the Ocean Hill-Brownsville experiment had become.

Union Demands

The United Federation of Teachers expanded its demands beyond the return of the teachers and guarantees that they

⁶²Maurice Goldbloom, "The New York School Crisis," Confrontation, Berube and Gittell eds., pp. 278-79. Reprinted from Commentary, January 1969.

⁶³Ferretti, "Who's to Blame," Confrontation, Berube and Gittell eds., p. 313.

would receive classroom assignments during the second strike. In addition to the return of the teachers in compliance with previous agreements the UFT added some punitive demands to its list. The union now called for the closing of JHS 271; the suspension of the governing board, the unit administrator, and the principals; the prosecution of four JHS 271 teachers accused of harassment; a declaration that the experiment had failed and that the district would be returned to the regular system; and the placement of UFT and Board of Education observers in the schools.⁶⁴

Mayor Lindsay's Plan

When the teachers struck for the third time Mayor Lindsay immediately became involved in negotiations to bring about a quick end to the strike. With the understanding that the conflict had grown beyond the stage of a local labor dispute and taken on racial undertones, Lindsay's first reaction was to nationalize the dispute. To do this he attempted to organize a three-member panel composed of John Gardner of the Urban Coalition, Whitney Young of the National Urban League, and George Meany of the AFL-CIO, to mediate the dispute.⁶⁵

When Lindsay could not secure the assistance of the

⁶⁴M. Goldbloom, "The New York School Crisis," p. 279; "Due Process," p. 80, Confrontation, Berube and Gittell eds. Also see New York Times, 28 October 1968.

⁶⁵Mayer, The Teachers Strike, pp. 89-90.

three national figures he turned to local leadership. The panel he then created was headed by Theodore W. Kheel, who had been advising the Mayor throughout the Ocean Hill experiment. The other two members were Whitney Young and Harold G. Israelson, a labor lawyer who had participated in the negotiations settling the 14-day 1967 strike. The panel was instructed to examine the dispute and make recommendations to the Mayor. Albert Shanker charged that the creation of the panel was an attempt by the Mayor and the Board of Education to avoid compliance with the agreements which ended the previous strikes.⁶⁶

As the panel began its "fact-finding" mission additional pressure was put on the Mayor to settle the strike. On October 17th the UFT-CSA coalition organized a demonstration at City Hall, in which 40,000 demonstrators turned out to support the UFT demands.⁶⁷ Three days later Lindsay submitted his proposal to end the strike. At a meeting between the Mayor, the Board of Education, and the UFT, to which Rhody McCoy was refused admission, Lindsay promised to shut-down JHS 271, continue the suspensions of McCoy and the governing board while putting Superintendent Donovan in direct supervision of the district, and to reinstate the principals upon their promise to comply with Donovan. Shanker felt that

⁶⁶New York Times, 17 October 1968.

⁶⁷New York Times, 18 October 1968.

JHS 271 would be reopened and opposed the proposal. The Board of Education accepted the plan. Board president John Doar said the UFT rejected the agreement because it "partly out of fear and partly out of strength had lost faith in the central Board."⁶⁸

Commissioner Allen's Plan

The end of the second week of the third strike saw the shift in initiative for negotiating a settlement move from the Mayor to the State Commissioner, Dr. James Allen Jr. On October 25th Commissioner Allen offered his first plan for a settlement. Under the plan Allen would assure personal responsibility for the safe return of what had been reduced to 79 teachers. The plan also provided for the reinstatement of the governing board, Rhody McCoy, and the principals. It stated that any adverse actions by the administrative staff,

Will be regarded as justification for immediate removal or other appropriate disciplinary action by the Commissioner, rather than mere symbolic suspension.⁶⁹

Albert Shanker rejected Allen's plan stating, "I think the proposal is obviously a complete capitulation to the demands of the Ocean Hill-Brownsville governing board."⁷⁰ The UFT continued its demand for the removal of the governing board, McCoy and the principals as the conditions for ending

⁶⁸New York Times, 21 October 1968.

⁶⁹New York Times, 26 October 1968. ⁷⁰Ibid.

the strike. The week following the rejection of his first plan Commissioner Allen proposed a second plan. The second Allen plan (which later formed the basis of the settlement), called for the creation of a trusteeship. Under the plan the Ocean Hill experiment would be placed under the state supervision of an Allen appointed trustee. The suspension of the governing board would be continued, while Rhody McCoy and the principals would be responsible to the trustee.⁷¹

The governing board, whose position was not considered in any event said it would neither accept nor reject the plan. This seemed to imply a willingness to work with it. The UFT, however, again rejected the plan. Maurice Goldbloom pointed out two reasons for the union's stance:

...it did not believe that the presence of a trustee would bring Mr. McCoy and the principals into line, and it did not trust the Commissioner, who had never liked unions and had taken an extreme position in favor of local hiring and firing without regard to civil service regulations.⁷²

Albert Shanker's Plan

In the time that elapsed between Allen's two plans Albert Shanker and the UFT devised a settlement plan. The plan drawn up by the UFT was similar to the plan the Mayor had submitted at the beginning of the strike. Shanker proposed "turning the clock back" to the beginning of the third

⁷¹New York Times, 30 October 1968.

⁷²Goldbloom, "The New York School," Confrontation, Berube and Gittell eds., p. 279.

strike, or just prior to the time Donovan promised to reinstate the principals and reopen JHS 271. The conditions of the plan were: 1) the continued suspension of the governing board, Rhody McCoy, and the principals; 2) reclosing JHS 271; 3) return of the teachers to classroom assignments; 4) and the continued use of observers to guarantee the safety of the teachers. The only change in the union's position was that it no longer demanded the abolition of the governing board and the permanent removal of McCoy and the principals.⁷³

Board of Education President John Doar said the Board would not agree to the plan because the Ocean Hill board and the principals had agreed to abide by the Board's orders and since they had been reinstated they had done "nothing to warrant suspension."⁷⁴

The Turning Point

With the rejection of its plan by the central Board the UFT turned to the state political establishment for redress of its grievances. During the first week of November the union began calling for a special session of the state legislature to be convened not only to repeal the decentralization laws and demonstration districts but also for the removal of the city Board of Education.⁷⁵

⁷³New York Times, 28 October 1968. ⁷⁴Ibid.

⁷⁵New York Times, 31 October 1968; Mayer, The Teachers Strike, p. 98; and Goldbloom, "The New York School Crisis," Confrontation, Berube and Gittell eds., p. 280.

In response to the UFT's demands for a special session, Board president Doar, Superintendent Donovan, Commissioner Allen, Mayor Lindsay, and Joseph W. McGovern, Chancellor of the State Board of Regents issued a statement in support of the Allen plan for a trusteeship and opposing the idea of a special session.⁷⁶ Further pressure was added to the conflict when a demonstration was organized at the home of Governor Rockefeller.⁷⁷

The day following the demonstration at the Governor's house a break in the dispute appeared. On November 16, 1968, the Appellate Division of the State Supreme Court ruled in a 3-2 decision that the Board of Education's appointment of the Ocean Hill-Brownsville principals was illegal.⁷⁸ This decision by the courts opened the way for a compromise between the Board of Education and the UFT. The Board was now able to sacrifice the principals, without appearing to have been defeated, for the union's concession that Rhody McCoy be allowed to remain in the district.

Strike III Ends

As the strike entered its fifth week Max Rubin, a member of the Board of Regents, produced a plan. Rubin proposed a three-member panel, composed of a Regent, John Doar,

⁷⁶Mayer, The Teachers Strike, p. 98.

⁷⁷New York Times, 15 November 1968.

⁷⁸New York Times, 16 November 1968.

and a Mayoral appointee, to oversee the New York City school district and insure the rights of teachers. The panel was to have the power to close any school which violated the rights of teachers and supervisors.⁷⁹

The plan which ended the strike was a modified version of Rubin's plan along with Allen's plan for a trusteeship. Deliberations on the terms of the agreement took place at Gracie Mansion on November 17, 1968. The terms of the agreement provided for:

- 1) The removal, at least temporarily, of three Ocean Hill principals: William Harris, JHS 271; Ralph Rogers, PS 144; Luis Fuentes, PS 155.
- 2) The appointment of Herbert F. Johnson, an Associate Commissioner of Education, as a trustee to oversee the Ocean Hill project and assure the return of the teachers to classroom assignments.
- 3) The creation of a special committee (consisting of Harold G. Israelson, a labor lawyer; Walter W. Straley, a member of the Board of Education; and John Burnell, a staff member of the Central Labor Council), which would be responsible for protecting the rights of teachers and supervisors throughout the city's system.
- 4) The addition of ten days to the school year and 45 minutes to the regular school day for a 14-week period to allow students to make-up lost time and teachers to recover lost pay.
- 5) The four teachers that had been charged with harassing union teachers, all active members in the African American Teachers Association,

⁷⁹Mayer, The Teachers Strike, p. 99.

were not allowed back into the classrooms. (One was transferred out of the district, the others were removed from their assignments and ordered to report to the district office).⁸⁰

The Ocean Hill-Brownsville governing board, still on suspension, vainly rejected the plan. When it became known that the other parties approved the agreement the Ocean Hill delegation walked out of Gracie Mansion. Rev. Oliver, speaking for the group said:

It is obvious that the black and Puerto Rican people of the city are not going to be allowed to determine the future of their children. It is equally obvious that this may be the beginning of the end of Ocean Hill-Brownsville.⁸¹

⁸⁰New York Times, 18 November 1968.

⁸¹Ibid.

CONCLUSION

The Gracie Mansion Compromise of November 17, 1968 between the United Federation of Teachers, the New York City Board of Education, and the New York State Board of Regents brought to an end the Ocean Hill-Brownsville experiment in community control. Although the problem of who would control the schools was not solved, it was established that control would not be given to the community. For the remainder of the 1968-69 school year the Ocean Hill project continued as a ward of the state, while at the same time occupied by the UFT-CSA forces.

Before the first month of the trusteeship was to pass three different trustees had been appointed to oversee the district.¹ When the teachers returned to the district disturbances erupted in the schools where the principals had been suspended.² Subsequently Rev. Oliver and Albert Vann were arrested for "trespassing" in JHS 271, which again had become the center of the battle.³

During the third week of the trusteeship the parents

¹For a description of Herbert F. Johnson, William D. Firman, and Wilbur R. Nordos who were appointed as trustees see New York Times, November 18, December 3, and December 7, 1968.

²New York Times, 20 November 1968.

³New York Times, 27 November 1968.

in the Ocean Hill-Brownsville area decided to bring JHS 271 under the control of the community without the consent of the establishment. Mrs. Elaine Rook, a member of the suspended board, said:

Come Monday morning, be ready. We are going to take 271. I want to see the parents. And I'm going to jail for 1,700 children. We are going to jail. We are going to take the first school, which will be 271.⁴

On Monday when the community residents entered the school sixty policemen were sent in to remove them and JHS 271 was shut-down.⁵ After the school had been closed for a week Rhody McCoy attempted to reopen it. This action led to his arrest and suspension.⁶

To prevent McCoy from returning to his office a state official and two plainclothes policemen were sent to occupy it while 150 uniformed policemen were assigned outside the office.⁷ In response to this continued assault, McCoy's staff moved the files and office equipment out of the unit administrator's office to a "new district office in someone's apartment or a storefront."⁸

As a further humiliation to the governing board Federal Judge Anthony J. Travia ruled against it in its own suit.

⁴New York Times, 1 December 1968.

⁵New York Times, 3 December 1968.

⁶New York Times, 11 December 1968.

⁷New York Times, 14 December 1968. ⁸Ibid.

After being suspended by the Board of Education the local governing board had filed suit contending that it was a duly elected body and its suspension violated its constitutional rights. Travia ruled that the Ocean Hill board was no more than "an unofficial body of citizen advisers." He also stated that in his opinion Rhody McCoy had "no constitutional rights to his job."⁹ (The suspension of the governing board continued until March 8, 1969).¹⁰

The district remained in turmoil until December 17, 1968, when Wilbur Nordos was appointed trustee. Nordos promptly reopened JHS 271 and reinstated Rhody McCoy.¹¹ Nordos was able to evolve a more flexible program for the operation of the experiment until its fate was finally sealed by the State Legislature in the spring of 1969.

In April of that year the state legislature effectively ended the community control movement in the Ocean Hill area by having it absorbed into one of the 30 districts by stipulating that all decentralized districts had to have a minimum of 20,000 students. It also placed personnel power under the control of a five-member city-wide board. The five-member central Board was to be composed of one member from each borough, which lessened the potential of the Black community to influence the central Board. By constructing 30 large

⁹New York Times, 30 November 1968.

¹⁰New York Times, 8 March 1969.

¹¹New York Times, 17 December 1968.

districts the legislature limited the number of districts that would have a Black and Puerto Rican majority.¹²

The measures enacted by the State Legislature in its decentralization bill brought to a conclusion the confrontation between the UFT-CSA, the Board of Education, and the governing board of the Ocean Hill-Brownsville district. Thus ended a phase in the attempts by Black and Puerto Rican parents to improve the education of their children by the community control of their schools.

¹²For a description and further analysis of how the State's decentralization bill was constructed to appease the UFT and restrict the influence of the Black and Puerto Rican communities in exercising power see M. Gittell, "Education: The Decentralization-Community Control Controversy," Race and Politics in New York City, Bellush and David eds., pp. 158-60.

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