

Local school boards should be authorized, but not required to maintain public schools for a period of at least nine months. A locality may be confronted with an emergency situation.

The present procedure governing appeals from actions of school boards should be clarified so that it will not conflict with appeals in assignment cases.

The State Board of Education appears to have the authority to approve the operation of schools in a locality for a period of less than nine months with no loss in State funds. This should be made clear.

The requirement for minimum school levies or cash appropriations in lieu thereof should be eliminated and levies or cash appropriation for educational purposes authorized.

The procedure for the reversion of unexpended school funds should be broadened so as to make it apply to appropriations for educational purposes.

Those sections of the Code relating to distribution of school funds which are obsolete, being covered by the Appropriation Act, should be repealed.

The section of the Code requiring segregated schools has been rendered void by the Supreme Court of the United States and should be repealed.

The section of the Code requiring cities to maintain a system of public schools should be repealed since it duplicates another provision of the Code.

CONCLUSION

The Commission has set forth at length the bill the adoption of which is essential to the enactment of legislation to avoid enforced integration. It has discussed in detail the proposals which it believes the General Assembly should consider and adopt subsequent to the amendment of Section 141 of the Constitution. They are so interrelated that it is impractical to consider them except in their entirety and at the same time. To attempt to pass some of them without at the same time being able to consider and to act upon the others, would not be feasible. Finally, as this report has stressed, if those educational programs which have been endangered by the decision of the Supreme Court of Appeals of Virginia in the case of *Almond v. Day* are to be continued, and if our children are to escape enforced integration and yet be educated, it is necessary that Section 141 of the Constitution be amended through the calling of a limited Constitutional Convention.

The session of the General Assembly which considers that matter should not have before it other measures to becloud the issue and delay action on the most pressing problem confronting the State in this century. We therefore recommend that Your Excellency call a special session of the General Assembly for the sole purpose of considering the bill attached hereto.

Subsequent to the Constitutional Convention the Commission will be prepared to submit specific bills carrying out the proposals hereinabove set forth.

In conclusion, the Commission wishes to express its gratitude to Your Excellency; to the Honorable J. Lindsay Almond, Jr., Attorney General;