

APPENDIX II

RICHMOND, VIRGINIA, JUNE 10, 1955.

To:

HONORABLE THOS. B. STANLEY, *Governor of Virginia*

The Commission in its report to Your Excellency, dated January 19, 1955, stated that it would explore avenues toward formulation of a program, within the framework of law, designed to prevent enforced integration of the races in the public schools of Virginia. In furtherance of that aim, counsel, working closely with the undersigned, the full Commission, the executive committee, a committee of attorneys consisting of three members of the Commission and many others, has studied and evaluated various plans and programs of suggested legislation and has now reached some general conclusions.

By necessity no plan or program could be evolved until the final decision of the Supreme Court of the United States was rendered. This was done on May 31, 1955, and, at the request of Your Excellency, the undersigned called a meeting of the Commission on June 8, 9 and 10 for the specific purpose of considering the effects of the Supreme Court's latest enunciation concerning the public school system in Virginia.

Throughout its deliberations the Commission has been fully conscious that one of the most important functions of State and local government is the education of our youth. It has been at all times guided by the realization that education for the children of this State is of paramount consideration.

The plans the Commission has under consideration, necessitated by the decisions of the Supreme Court of the United States, require numerous, involved and complex changes in the present laws of Virginia. Such changes relate to the State Board of Education, local school boards, appropriations by local tax levying bodies, the employment of teachers, their tenure in office and retirement, distribution of school funds by the State, and other related matters. No political subdivision of Virginia can initiate a system designed to achieve an orderly and equitable adjustment consistent with law before the enactment of appropriate legislation by the General Assembly and the formulation and application of local policy thereunder. The Court in its opinion of May 31, 1955, recognized that a variety of obstacles would have to be eliminated before any transition could be had to a school system operated in accordance with its views. The responsibility for assessing and solving these problems was placed on the school authorities. In Virginia the public schools are the creature of law and operate as a joint State and local responsibility. Time and exhaustive study are required for the formulation and enactment of legislation if the interest and welfare of the pupils of both races, the protection of the status of the teachers, and the financial problems involved are to receive constructive attention. Hasty action could well result in the serious impairment or destruction of the public school system. This should be as obvious to all who have carefully considered the problem confronting the State and the localities, as it is to the Supreme Court of the United States itself.

Because of the many complex statutory changes involved and the necessity to consider many of them in the light of the Constitution of Virginia, it has not yet been possible for the Commission to work out