IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

Filed 3-29-67 9:30 A.M.

UNITED STATES OF AMERICA, by RAMSEY CLARK, Acting Attorney General,

Plaintiff,

v.

DYERSBURG CITY BOARD OF EDUCATION, DYERSBURG, TENNESSEE, et al.,

Defendants.

CIVIL ACTION NO. C-66-241

S T I P U L A T I O N

IT IS HEREBY STIPULATED by and between the attorneys for the respective parties hereto that the statements in this Stipulation are true and that the attached copies of records and documents are true and authentic copies of the original records and documents described in the Stipulation.

1. The Dyersburg Board of Education is a public body corporate operating a school system within the State of Tennessee.

2. The defendants, in operating and directing the public school system, have received and are receiving financial aid and assistance under various federal programs administered by the U. S. Department of Health, Education and Welfare.

3. The named defendants are all residents of the State of Tennessee and reside within the Western Judicial District of Tennessee and are responsible for the operation of the Dyersburg City Schools.

4. Prior to the 1965-1966 school year, the defendants maintained a dual school system based upon race and color. One senior high school (Dyersburg High School), one junior high school (Dyersburg Junior High School) and three elementary schools (Alice Thurmond, Jennie Bell and Jennie Walker) were maintained and operated exclusively for white students and staffed exclusively by white personnel. One twelve grade school (Bruce School) was maintained and operated exclusively for Negro students and staffed exclusively by Negro personnel.

5. Pursuant to Sections 601 and 602 of the Civil Rights Act of 1964 and the guidelines issued by the Secretary of the Department of Health, Education and Welfare (45 C.F.R. Sec. 80.1 et seq.), the defendants filed a desegregation plan with the U. S. Office of Education, which plan was approved on August 11, 1965. In 1966, the defendants filed Form 441B with the U. S. Office of Education indicating their intention to comply with the Department of Health, Education and Welfare's revised statement of policies for school desegregation plans under Title VI of the Civil Rights Act of 1964 (45 C.F.R., Part 181).

6. During 1965-66 and 1966-67, students in the Dyersburg City School System were assigned to school pursuant to the "freedom of choice" system of desegregation. The following table reflects the choices made by white and Negro students or their parents for these two years:

	1965-66		1966-67	
	White	Negro	White	Negro
Dyersburg Senior High School	824	4	764	9
Dyersburg Junior High School	723	6	556	3
Alice Thurmond	369	1	360	5
Jennie Bell	380	0	457	1
Jennie Walker	371	1	352	1
Bruce	0	562	0	458

The source for this table is the attachment "AA" signed by Mr. W. O. Warren.

7. During the school year 1965-1966, and at all times prior thereto, the traditionally all-white schools operated by the defendants were staffed exclusively by white teachers and administrators, and the all-Negro school was staffed exclusively by Negro teachers and administrators. On July 25, 1966, the Dyersburg City Board of Education submitted to the U. S. Office of Education a letter amending their plan of desegregation in order to meet the standards set forth in the 1966 "revised guidelines." A true copy of this letter is attached to this Stipulation as Attachment "BB". The amendments adopted by the defendants called for the closing of the senior high school grades at the traditionally Negro Bruce School, the transfer of the high school faculty members necessary for this number of students from Bruce to Dyersburg High School, and the assignment of at least six Negro faculty members from Bruce School to traditionally white schools in the system.

8. As of September 20, 1966, the defendants employed 109 white persons and 24 Negroes as members of the full-time professional faculty and staff of the Dyersburg school system. These statistics are reflected in the Health, Education and Welfare Form Fall 1966 Summary which was submitted by the defendants to the Office of Education. True copies of this Form Fall 1966 Summary are attached hereto as attachment "CC".

9. The following table, which is based on attachment "CC" described above, reflects the racial breakdown of the faculty and staff at each school operated by the defendants:

	White	Negro
Dyersburg Senior High School	31	2
Dyersburg Junior High School	22	2
Alice Thurmond	12	1/2
Jennie Bell	16	1
Jennie Walker	12	1/2
Bruce	1	16

10. During the school years 1966-67, students not residing in the Dyersburg City school system were enrolled in the schools in that system as follows:

	1966-1967
Dyersburg Senior High School	355
Dyersburg Junior High School	187
Alice Thurmond	23
Bruce	14
Jennie Bell	19
Jennie Walker	6
	604

These statistics are derived from a list supplied by the Dyersburg School system, which is attached hereto as attachment "DD".

11. The following table reflects the racial breakdown of resident students enrolled in the Dyersburg school system.

		White	Negro
*	1965-66	2077	601
	1966-67	2165	549

These facts are reflected by the Health, Education and Welfare Form 1966 Summary which is attached hereto as Attachment "CC".

Exhibit "CC" does not reflect those city students enrolled in the county accurately. According to Attachment "DD", 209 Negro students and 143 white students are residents of the city and are attending county schools. (Approximately 205 of the Negro students are attending Dyer County Central, a county owned school, grades one through eight, located within the city limits of Dyersburg and partially constructed with city funds.)

Attorney for the United States

Attorney for the United States

Attorney for the Defendant