

For the Negro Press: Suit Hits Separate Schools in Kansas

Copy of Lucinda Todd's 1951 handwritten news release outlining the legal actions underway, explaining the causes, and listing the names of the attorneys filing the actions associated with the effort of several Topeka families to have their children attend white schools.

Creator: Todd, Lucinda Wilson, 1903-1996

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Topeka, Kans. — Legal ^{counsel} for a group of negro children who through their parents are seeking to enter grade schools located in the area in which they live, have filed an amended complaint in a lawsuit filed in the U. S. district court of the First Kansas district on Feb. 28. All of the plaintiffs live here.

The statute which gives cities of Kansas the right to establish separate schools is being challenged in this case.

It is likely that the litigation will be heard by a federal three judge court.

Deep-rooted are the causes which prompted residents of this community to file action against the board of education of this city whose superintendent of schools Kenneth McFarland is named along with other defendants.

The action was filed by attys. Chas. E. Blidsoe, Robert L. Carter and Jack Greenburg, the latter two being special counsel for the N. A. A. C. P. On the amended petition the names of John Scott and Charles Scott were listed as lawyers for the plaintiffs.

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Kansas has for many years had a complicated crazy-quilt educational pattern. In some Kansas communities all schools are integrated. In others the lower grades are separate, the Junior High and High Schools mixed.

All state colleges and universities accommodate students of all races including Kansas Technical Institute in this city which presently has added white and Mexican students to its Negro body.

In one school in Bethel, Kans. the 28

Several questions have been propounded in the amended document, one of them wanting to find out if customs and practices of the defendants are unconstitutional in that they deny the plaintiffs the privilege of enrolling in schools, while the same privilege of going to school in the same area is granted to white children.

Whether or not the defendant can deny Negro children, because of race, educational opportunities equal to those afforded white children in contravention to

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the 14th amendment of the U.S.
is challenged.

The petition points out that plaintiffs, all Negroes, who satisfy all requirements for admission to schools in their own district have been turned down when they applied for admission. Consequently, these Negro children must attend other schools which do not measure up to those attended by whites.

This lawsuit is designed to present the cause of Negroes throughout Kansas who suffer similar treatment and who are so numerous as to make it impracticable to bring them all before the court.

One of the main contentions is that white children of elementary age go to schools within the designated boundaries of the district in which they live.

The federal court is asked to issue a permanent injunction restraining the defendants from setting up separate schools for Negro and white children.

The plaintiffs through counsel want to find out for now and

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all time to come whether or not a Negro taxpayer and citizen of this country and of Kansas can be compelled by law to pay taxes for support of schools and then be denied the right to use of such institutions when the Constitution of the United States provides otherwise.

Interest in this case is widespread and some educators are predicting an end to segregated schools in Kansas.

About 10 years ago the Kansas Supreme Court ruled that Negro pupils of Topeka were being denied their constitutional privileges by being barred from junior high schools here. Because of this ruling ^{the 7th and} eighth grades in the Negro schools ~~were~~ was discontinued.