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Introduction

3. Educating poor children, particularly poor minorities, has thus become, along with such undesirable public functions as sewage treatment and waste disposal, a necessary civic responsibility to which communities respond by declaring, “Not in my backyard!”
4. There are no comprehensive historical studies of Columbus school desegregation. NAACP attorney Paul Dimond provides a useful look at the legal machinations of Penick in Beyond Busing: Inside the Challenge to Urban Segregation. The only other published work on Columbus is an antibusing polemic by black Columbus Board of Education member Bill Moss called School Desegregation: Enough Is Enough.
5. See Lukas, Common Ground; Ronald P. Formisano, Boston against Busing (Chapel Hill: University of North Carolina Press, 1991); and Ione Malloy, Southie Won’t Go: A Teacher’s Diary of the Desegregation of South Boston High School (Urbana: University of Illinois Press, 1986). Also see chapters in Wilkinson, From Brown to Bakke, and Metcalf, From Little Rock to Boston. For the images of Boston busing, see Part II of the television documentary series Eyes on the Prize.

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5. John Ellis interview, January 26, 1994; see also Cynthia Robins, "How TV Taught CMH, OH, a Lesson or Two," *TV Guide*, April 16, 1977, 16-18. The Wolfe family's media empire included WBNS, the area's dominant television station, along with AM and FM radio outlets and the *Columbus Dispatch*, the city's influential evening newspaper.


9. Charles Fenton, "Ellis Gives High Marks to 'School without Schools,’” *CJ*, February 9, 1977; Micki Seltzer, "Busing Comes to Columbus: Here Comes the Bus, Without a Fuss!" *Call and Post* [hereafter cited as *CP*] February 12, 1977; "John E Ain't Ready, Jimmy . . . [And He's a Republican to Boot]," *CP* editorial, February 26, 1977.


13. According to the United States Census, 543 (9.5%) of Columbus’s 6,048 residents were black, while only around 1% of the state’s population was black. Mary Louise Mark, *Negroes in Columbus*, 7–8; Rodabaugh, “Negro in Ohio,” 18. Other historical information: Richard Minor, “The Negro in Columbus,” 191; Anne Gregory, “A History of Progress: Much Has Changed Since Arthur Brook’s Arrival,” *Northwest News*, August 7, 1985; James, “American Addition,” 3; Mike Curtin, “Step by Step,” *CD*, January 29, 1993.


15. Himes, “Forty Years of Negro Life in Columbus, Ohio,” 136, 137.


20. Mark, *Negroes in Columbus*, 8–9. From 1910 to 1920, Columbus’s black population grew from 12,739 to 22,181, while the city’s total population increased from 181,511 to 237,031.


34. Census figures from City of Columbus Development Department, Planning Division; Andrew Hacker, *Two Nations: Black and White, Separate, Hostile, Unequal*, 229; Richard M. Bernard, ed., *Snowbelt Cities: Metropolitan Politics in the Northeast and Midwest Since World War II*, 268–73.


38. Carter, "Domestic Colonialism," 150.

39. Himes, "Forty Years," 140; Hayes, "Negro—No. 7," CJ, February 28, 1967. Though Loving was the leading school board advocate for a new building for blacks, he voted against the school that bore his name because he believed it was being situated in an undesirable part of town. Seltzer, "Segregation of Schools."


42. Carter, "Domestic Colonialism," 153–54, 156–157. In addition to the public protests, a legal challenge—the city's first desegregation suit—was mounted to oppose the opening of Champion. In 1909, a black parent filed suit in Franklin County Common Pleas Court claiming that the establishment of an all-black school was illegal under state law. The court dismissed the case, however, and efforts to appeal were exhausted by the end of 1912. Penick I, 235; Seltzer, "Segregation of Schools."


44. Seltzer, "Segregation Of Schools."

45. The most glaring examples of race-based teacher assignments were the 100 percent white-to-black faculty transfers that occurred at Garfield, Felton, and Mt. Vernon in the early 1940s. By the time of Brown v. Board of Education in 1954, there were no black high school principals in the district and no black administrators in predominantly white schools. Also,
black student teachers could do their practice teaching only at black schools, where the only job openings offered black teachers were available. Interview with Barbee and Anna Mae Durham, October 2, 1991; Dimond, *Beyond Busing: Inside the Challenge to Urban Segregation*, 241; *Penick* I, 236.

46. According to the Columbus City Health Department, there were 4,830 babies born in Columbus in 1940, 7,827 in 1946, and 12,830 in 1957. “The Story of the Columbus Public Schools” (Columbus Public School District 1958 Annual Report), 25.


51. Willis interview.

52. Columbus Public School District files; Willis interview; Amos Lynch interview, October 17, 1991; Will Anderson interview, February 27, 1994.


57. President Johnson, commencement address at Howard University, June 4, 1965, quoted in Thomas Byrne Edsall with Mary D. Edsall, *Chain Reaction: The Impact of Race, Rights, and Taxes on American Politics*, 53.


62. “A Report to the Columbus Board of Education,” Ohio State University Advisory Commission on Problems Facing the Columbus Public Schools,” June 15, 1968 [hereafter cited as OSU Advisory Commission Report], 24–29, 269, 300, 18, 19–22. The Columbus Public Schools used a “priority” ranking system to channel Title I funds from the Elementary and Secondary Education Act to the district’s most needy schools. The sixty-six priority schools were ranked from I (most needy) to V (least needy). There were ninety-four nonpriority schools in 1968. The commission’s recommendations illustrate the debate over the federal Office of Education’s *Equality of Educational Opportunity* study, better known as the Coleman Report. That massive 1966 survey challenged liberals’ belief that funneling more resources to poorer schools would improve pupil achievement, instead concluding that family background was a far more significant factor than educational facilities and funds in determining student success. Neoconservatives used the Coleman Report as ammunition in their argument that black educational problems stemmed from a “culture of poverty,” not from racism in the public schools. Liberals, meanwhile, seized on the study’s conclusion that black achievement levels rose when poor blacks were educated with middle-class whites as evidence of the advantages of desegregation.

63. For case studies of the tension between desegregation and school district organization, see Daniel J. Monti, *A Semblance of Justice: St. Louis Desegregation and Order in Urban America*; and Doris Fine, *When Leadership Fails: Desegregation and Demoralization in the San Francisco Schools*. 
64. OSU Advisory Commission Report, 154–56, 163–64; Ellis interview; Pierce interview. The board of education consisted of seven unsalaried, nominally nonpartisan members, elected to unlimited four-year terms in staggered, biannual, at-large elections.


67. Black students in the higher grades of Columbus Public Schools were also influenced by radical student and faculty activism at Ohio State, where black protests led to the creation of the university's Black Studies Department. See Martha Brian and Mary Carran Webster, "The Campus Radicals: Where Are They Now?" CM, February 1977; Michael Norman, "The Struggle for Control of Black Studies at OSU," CM, March 1985; "Timeline, 1968—Here and Elsewhere," CM, June 1988.


71. From 1945 to 1968, all twenty-two Columbus Public School District ballot issues passed. (This success rate was due in part to the fact that until the late 1960s, levies only lasted a certain number of years and had to be renewed by the voters. A change in state law, however, made all school tax increases permanent except emergency levies and bond issues.) A 1968 levy increase, passed by the smallest margin of any postwar school ballot measure to that time (51 to 49 percent), was followed by a resounding 1969
bond issue defeat (71 to 29 percent). In May 1971, voters rejected another bond issue try (66 to 34 percent) as well as a 9.7-mill levy increase (69 to 31 percent). Kathy Gray Foster, “School Levies Once Sailed Past Voters,” CD, April 29, 1986.

72. Before coming to Columbus, Ellis had been superintendent of the affluent Lakewood (Ohio) School District outside of Cleveland.

73. In 1970, black enrollment in the Columbus Public Schools was 29 percent; the city’s overall black population was 18.5 percent. Penick I, 237.

74. Edsall and Edsall, Chain Reaction, 78.

75. Wilkinson, From Brown to Bakke, 103–6. The act also allowed the Justice Department to file, intervene in, and provide financial support for desegregation cases.

76. See, for example, Constance Curry, Silver Rights: A True Story from the Front Lines of the Civil Rights Struggle.

77. Green v. County School Board of New Kent County, 391 U.S. 436 (1968), emphasis in original. Supreme Court opinions collected in Derrick A. Bell Jr., Civil Rights: Leading Cases (Boston: Little, Brown, and Company, 1980).


79. In 1970, for example, bombs exploded in Chattanooga, Tennessee; Columbus, Georgia; and Kannapolis, North Carolina. In Lamar, South Carolina, state troopers needed tear gas to control a mob of ax-handle-wielding whites who had attacked a busload of black children. Nevertheless, the thousands of southern school districts that desegregated did so with comparatively little conflict. Judith Buncher, ed., School Busing Controversy, 1970–75, 207–9; Wilkinson, From Brown to Bakke, 122–23.


83. Utilizing the Title VI fund cutoff provision and the force of the federal courts, HEW had succeeded in desegregating all but a few hundred of the 4,476 southern and border state school systems by 1970. By transferring
enforcement to the understaffed Department of Justice, however, the Nixon administration ensured that desegregation would proceed on a far more gradual, case-by-case basis. As a result, after 1970, pressure to dismantle dual school districts would come primarily from privately initiated litigation. To protest the administration's tactics, the assistant solicitor general refused to argue the case. Orfield, *Must We Bus!* 286–88, 325–27.


85. Polls generally showed that between 75 and 85 percent of the public opposed busing, even though the same polls indicated that strong majorities also approved of desegregation.


88. A 1971 Gallup poll found that 47 percent of African Americans nationwide opposed busing, while 45 percent favored it; Edsall and Edsall, *Chain Reaction*, 298. This split was magnified the following year when the NAACP withdrew its support of the National Black Political Convention's fifty-eight-page "black agenda," citing the document's opposition to busing as a "particularly outrageous" example of the convention's "separatist and nationalist" ideological slant (Buncher, *School Busing Controversy*, 112).


91. Orfield, *Must We Bus!* 332.


93. Memo from Justice Brennan to the Court, March 8, 1971, and memo from Justice Black to the Court, March 25, 1971, Marshall Papers.


97. For a favorable view of Roth's ruling, see Dimond, *Beyond Busing*, 21–118; for a critique of Roth's handling of the case, see Eleanor P. Wolf,
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Trial and Error: The Detroit School Segregation Case. For the Richmond order, see Robert A. Pratt, The Color of Their Skin: Education and Race in Richmond, Virginia 1954–89.


100. Langdon would eventually step down in 1983, the longest-serving board member in the history of the Columbus Public School District.


104. Brooks, “Racial Disputes Flare.”


111. As testament to the respect Moyer received from both board factions, he was voted board president in 1972 and 1973, the first consecutive-term president since 1955.


114. The earliest indication of the black-white split over school desegregation actually occurred at the March 21, 1972 meeting, when the board rejected, 4–3, Hamlar's resolution opposing antibusing sections in the Emergency School Assistance Act pending in Congress. Hamlar called "busing for racial balance" a "smoke screen" meant to obscure the idea of busing for quality education. Prentice answered by saying that the district had integrated schools and arguing that most integration should take place via open housing. *CP*, April 1, 1972; Graydon Hambrick, *CD*, 22 March 1972; George Sweda, "Board Rejects Busing Resolution," *CJ*, March 22, 1972.


118. Columbus Public Schools, "Promises Made."

119. Already on the November 7, 1972, ballot was a measure seeking repeal of the state's first income tax, passed only the year before. While voters ultimately rejected the measure, 60 percent to 40 percent, its presence on the ballot signaled the first stirrings of an antitax backlash that would have a devastating effect on the Columbus Public Schools by the end of the decade. Had the measure passed, Ohio voters would have become the first state in the country to repeal an income tax via the ballot.


122. Columbus Board of Education Statement on Integration, July 18, 1972.

1970, the black unemployment rate in Columbus was 50 percent higher than that of the city as a whole (5.7 percent to 3.8 percent); unemployment in Franklin County was 65 percent higher for blacks than it was for the county overall (5.6 percent to 3.4 percent). The national unemployment rate averaged 8.2 percent for blacks in 1970 and 4.9 percent overall. "Overall Economic Development Plan," City of Columbus Department of Development (October 1976), 288–90.

The compromise also included a $180,000 staff development and human relations program sponsored by Ellis to sweeten the deal.

By gobbling up large tracts of farmland, Columbus had more than doubled its municipal boundaries since World War II. New schools were thus often constructed in fields, with the expectation that neighborhoods would quickly emerge around them. The relationship between the Columbus Public Schools and the city's annexation-driven expansion will be explored in detail in chapter 3.


Micki Seltzer, "Pamphlet Answers Questions on School Bond Issue Suit," CP, October 13, 1973. Other high-priority projects included


139. In a comment that vividly illustrated the gulf between her conception of integration and that of the black board members, Prentice added, "To say a school is not integrated is not true. Just look at East High or Whetstone." In 1974, East was 99 percent black, Whetstone was 96 percent white. George Sweda, "Columbus Plan Opposed," CJ, March 14, 1973. See also "Board Splits on Transit Plan," CD, March 14, 1973, and "Busing Plan Is Center of Conflict," CJ, March 15, 1973.


141. Beverly Gifford interview, October 4, 1991; Seltzer, "Walker Recalls Career"; Ellis interview.

142. Ellis interview.

143. District statistics would eventually show a rise in Columbus Plan applicants from several dozen to several thousand. However, officials never released an accurate count of how many students actually attended the schools to which they applied.

144. The OCRC's original complaint, issued on October 16, 1972, accused the Columbus Public Schools of racial discrimination in the assignment of teachers. It noted that 47 of 174 schools had no black teachers in 1972, and 80 percent of all black teachers in the district taught at just four
schools. Ellis's compromise called for every school to have around 17 percent black faculty, plus or minus 7.5 percent, by 1975–76.

145. All three were elementary schools: Indianola, Linden Park, and Stewart.

146. Ellis's authority was enhanced by the January 1975 retirement of veteran Deputy Superintendent Cleo L. Dumaree, whom many within the district considered more powerful than the superintendent.


148. Ellis interview. In January 1975, Tom Moyer had stepped down to become Governor Rhodes's chief aide. With the board deadlocked on a replacement, the decision was turned over to Republican Franklin County Probate Court Judge Richard Metcalf, who selected Capital University law professor M. Steven Boley. Boley, the fifth-place finisher in the 1973 board elections, proved to be much more conservative than Moyer, freezing the antibusing bloc's four-person majority.


150. Seltzer, "Questions Unresolved"; Ellis interview.

151. This idea will be explored extensively in chapter 2.

152. Ellis interview.

153. Orfield, *Must We Bus?* 277. The NAACP focused its post-Keyes efforts on Ohio because the state had several major cities that were relatively close together and contained large, significantly segregated black populations. In addition, NAACP general counsel Nate Jones was a Youngstown native with an extensive network of connections throughout the state. During the 1970s, the NAACP filed desegregation suits against Cincinnati, Cleveland, Columbus, Dayton, and Youngstown. Akron, Cleveland Heights–University Heights, Lima, Lorain, Toledo, and Warren were also involved in desegregation litigation during the 1970s. "Desegregation in Ohio: Background for Current Litigation," Citizens' Council for Ohio Schools, January 1976; "Desegregation Update," Citizens' Council for Ohio Schools, August 1979, 9–11; Joe McKnight, "Desegregation Affects 10 School Systems," *CD*, August 26, 1979.
154. Strategic and personal disputes almost kept the NAACP out of Columbua. The local NAACP chapter, already wracked by internal divisions, wanted to maintain control of both the litigation and the research it had already done. “Wild Bill” Davis also opposed the choice of white attorney Lou Lucas as head of the Penick legal team. Finally, a compromise was reached: the national NAACP would intervene in the case, taking control of all completed research, and local NAACP attorney Leo Ross would be added to the legal team.

155. Ellis interview.


157. Lower-class whites in Boston, for example, found an extra source of enmity in the Wellesley residence of district court judge Arthur Garrity, Jr.


159. Duncan interview, April 22, 1994.

160. Ibid.

161. Ibid.

162. Ibid. Bowen would go on to become Franklin County’s first black state senator.


165. In 1970, running unopposed at the request of black Democrats, Duncan became the first African American to win a statewide election in Ohio.


179. Moss ran unsuccessfully for the U.S. House of Representatives as an antibusing independent in 1976, siphoning enough votes from Democrat Fran Ryan to throw the election to Republican Samuel Devine. He won a seat on the school board the following fall.

180. Robert Albrecht, "'We Were Scrooge,' Says Ellis of Recommended Cuts," CD, December 30, 1976. The cuts approved by the board in January 1977 totaled $7.7 million. In April 1976, the board had slashed $5.8 million from the budget, and reductions in state aid that year had cost the district $1.5 million. The Columbus Public Schools' general fund in 1976 totaled $114.4 million.


182. Penick I, 264, 266.

183. Ibid.
187. "During the 1975–76 school year . . . 70.4 percent of all the students in the Columbus Public Schools attended schools which were 80–100 percent populated by either black or white students; 73.3 percent of the black administrators were assigned to schools with 70–100 percent black student bodies; and 95.7 percent of the 92 schools which were 80–100 percent white had no black administrators assigned to them." *Penick* I, 240.
188. Plaintiffs must "prove not only that segregated schooling exists but also that it was brought about or maintained by intentional state action." *Keyes v. Denver School District No. 1*, 198.
189. Duncan interview, April 22, 1994; *Penick* I, 260. The *Keyes* precedent, Duncan said, "provided for a shift in the burden of proof when plaintiffs' proofs reach a certain standard." Once this standard was reached, the defendants had to demonstrate the absence of a causal link between past and present segregation, a nearly impossible task.
191. Ibid., 240.
192. Ibid., 259.
193. Ibid., 232.

Chapter 2

1. Eric Rozenman, "‘We’re Going to East and We’ll Share Respect,’” *CJ*, September 7, 1979; Roger Snell and Steve Wilson, “Columbus's Big Busing Day Goes Off Without a Hitch,” Cincinnati *Enquirer*, September 7, 1979; Willis interview.
2. Rozenman, "Going to East."
5. See William Chafe, *Civilities and Civil Rights*, an examination of the civil rights movement in Greensboro, North Carolina. Chafe concludes that Greensboro's business community sought to maintain peace and safeguard the city's reputation for relatively progressive race relations by conceding enough to civil rights protestors to silence them but not enough to meet their demands. Chafe's concept of "civility" encompassed not just civic peace, but also the preservation of a treasured sense of southern gentility that had historically characterized the political dealings of Greensboro's elite. Because the latter notion of "civility" was not a part of Columbus's political milieu, I have altered Chafe's phrase to fit the concerns of Columbus's business community: civic order.


7. In 1824, Columbus became the county seat of Franklin County. When it reached a population of 3,500 in 1834, it was incorporated as a municipality.


9. Columbus's population grew from 31,274 in 1870 to 125,560 in 1900; manufacturing employment rose from 5,150 to 17,000. Hunker, 40–41.


11. Columbus was—and still is—within five hundred miles of the majority of the nation's population.


15. The Columbus Chamber of Commerce was founded in 1884, the fourth effort to organize a board of trade in Columbus since 1858. Quotation from *Addresses to Columbus Board of Trade at its 2nd Annual Meeting*, Columbus Board of Trade, 1874. See Mair, “Private Planning,” 92–101, quotation at 99.


17. Ray Paprocki, "Inside The Wolfe Empire," *CM*, April 1986, 39–48, 133–34. The Wolfes controlled Columbus's largest bank, BancOhio, from the early 1900s through the late 1970s; they owned Wolfe Brothers Shoe
Company and Wolfe Wear-U-Well, a chain of footwear retailers, through the late 1950s; the Wolfe-controlled Ohio Company is currently the city's largest brokerage and investment firm; the family owns thousands of acres of rural, industrial, and commercial real estate, as well as Ohio Equities, Inc., one of Columbus's largest commercial real estate companies; and Wolfe representatives have sat on countless corporate, philanthropic, and civic boards.

18. Ibid. The daily *Columbus Dispatch* has been, since 1903, the most prominent arm of the Wolfes' media empire. The family consolidated its command of the local print media in 1959 when it merged its morning Ohio *Journal* with the rival Columbus *Citizen*; the *Citizen-Journal* ran for the next twenty-five years as "the weaker partner in a joint operating agreement" with the *Dispatch*. In 1949, the Wolfes established WBNS-TV (WBNS = Wolfe Banks, News, and Shoes), which thoroughly dominated the local television market until the mid-1980s; they also own two local radio stations, an Indianapolis NBC affiliate, and the monthly *Ohio Magazine*.

19. The Lazarus family, owners of Columbus's dominant department store chain, served as something of a liberal counterweight to the Wolfes. Also powerful were the heads of Buckeye Steel and Jeffrey Manufacturing, the city's two largest (and two of its oldest) manufacturers. These four business interests dominated the chamber of commerce until the late 1930s. According to Delmar Starkey, chamber president from 1937 to 1963, they actively discouraged industrial development in Columbus, fearing that new industries would drain workers, raise labor costs, and spur unionization. Others dispute this theory, however, arguing that Columbus "chased smokestacks" as hard as any city, just with less success. Mair, "Private Planning," 183–86; Jerry Hammond interview, November 18, 1992. For a history of the Lazarus family, see Herb Cook Jr., "Lazarus, the Family: The End of a Dynasty," *CM*, May 1990, 46–54.


21. Burgess, "Planning," 35; Jackson, *Crabgrass Frontier*, 139; Jonas, "Local Interests," 104, 117. From 1930 to 1980, Cleveland grew only 14 percent, expanding from 71 to 81 square miles from 1930 to 1950 and not at all from 1950 to 1980. Columbus, on the other hand, grew 472 percent during the same fifty years, from 39 to 184 square miles. The only other northern city with a comparable growth rate is Indianapolis (689 percent), although much of its expansion is attributable to city-county consolidation. Other northern urban growth rates from 1930 to 1980: Boston, 12 percent; Pitts-
burgh, 8 percent; Chicago, 10 percent; New York City, 2 percent; St. Louis, 0 percent; Baltimore 0 percent; Washington, D.C., -1 percent; Philadelphia, -2 percent. Jackson, *Crabgrass Frontier*, 139–40.


25. The business leaders called in by Rhodes were Edgar T. Wolfe, *Dispatch* publisher and head of Wolfe Industries; Simon Lazarus, president of Lazarus Department Store; Herbert Lape Sr., Columbus Area Chamber of Commerce president and head of a local shoe manufacturing firm; Edwin Tharp, vice president of Ohio Fuel Gas Co.; Paul Gingher, lawyer and former two-term state senator; Roy Brentholts, past president of the Columbus Board of Realtors; and Paul McCarthy, a local labor leader. For the history of the Metropolitan Committee, see Mair, “Private Planning,” 115–30; Jonas, “Local Interests,” 134–36; Adrienne Bosworth, “Out of Hibernation: The Reawakening of the Metropolitan Committee,” *CM*, November 1979; Chris Eversole, “Metropolitan Committee May Resurface to Aid Schools,” *CJ*, January 10, 1979.

26. In 1945, the nascent organization called two or three meetings to explain issues to assembled businesspeople. That enabled its leaders to claim they were merely the “executive committee” for a broad-based citizens’ group called the “Metropolitan Committee of 100 Organizations.” Mair, “Private Planning,” 122–24.

27. The Development Committee for Greater Columbus (DCGC) was formed in 1956 to facilitate infrastructure planning and to ensure that capital improvements were not delayed by governmental inefficiency or jurisdictional squabbling. It had between one hundred and two hundred members and was run by a steering committee that included most of the individuals on the Metropolitan Committee. Between 1956 and the early 1970s, DCGC’s planners were largely responsible for plotting the specifics of Columbus’s infrastructural growth. Mair, “Private Planning,” 144–55, quotation at 120.

28. By the mid-1950s, all three local newspapers, the two most prominent downtown department stores, two of the three largest banks, and the area’s biggest investment securities firm were represented on the Metropolitan Committee. Ibid., 118–19.


31. Land area figure from City of Columbus Planning Division Annexation Log; population figure from U.S. Population Census, cited in Jonas, "Local Interests," 105. Shrugged off as the cost of progress was the consequence that African Americans had to pay higher taxes for public projects that funneled resources away from their neighborhoods and literally paved the way for whites to abandon the central city. Ironically, while the majority of Metropolitan Committee-endorsed ballot issues were approved by over 70 percent of the electorate, most of the handful that failed were urban renewal levies. Columbus voters rejected such levies in 1954, 1964, and 1965, largely out of fear of the spillover from black residential displacement. Mair, "Private Planning," 122–23; Amos Lynch, "Amos Lynch Asks: 'How Many of You Have Ever Had to Move a Home or Business because of Some Government Plan,'" Columbus Business Forum, March 1977.

32. The chamber, with the support of small firms seeking manufacturing’s high economic “multiplier,” managed to land a few major factories, most notably General Motors, Westinghouse, and North American Aviation plants. However, other business leaders continued to object to the expensive drain on services, wage pressures, and unionization that new industries brought to Columbus. Moreover, they argued, branch plants lacked loyalty to the city; their managers did not take an active role in the community, and the transient, up-and-down nature of manufacturing injected a potentially destabilizing unpredictability into the local economy. Chamber of Commerce Annual Reports, 1949–1963; Mair, "Private Planning," 193–202; Hunker, Industrial Evolution, 87; David Lore, "Selective Growth Shaping Future for Columbus," CD, February 10, 1977.


35. Eversole, "Committee May Resurface."

36. Although Columbus’s manufacturing sector grew significantly between 1940 and 1970, its importance to the area’s overall economy remained relatively minor. Even at its postwar peak, manufacturing accounted for only around 30 percent of the jobs in the Columbus Metropolitan Statistical Area. In 1964, for example, 26.1 percent of the jobs in Columbus were in manufacturing, compared to 47 percent in Youngstown, 38.3 percent in Cleveland, and 39 percent in Ohio overall. By contrast, Columbus led the state in the percent of jobs in government, services, finance, and construc-
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By the mid-1970s, manufacturing made up a mere 19.4 percent of the SMSA’s jobs, and the city’s top four employers were Ohio State University, the State of Ohio, the federal government, and the Columbus Public Schools. Moreland, “Black Community,” 40; Thomas M. Stanback Jr. and Thierry J. Noyelle, Cities in Transition, 91. See also Robert Tenenbaum, “The Economy: We’ve Suffered, but Not as Bad as Everybody Else,” CM, August 1975, 22–27.

37. In fact, by the early 1970s, Columbus had engulfed its first ring of suburbs, turning Bexley, Whitehall, Upper Arlington, and Grandview Heights into “inburbs.”


39. Ibid., 124.

40. CM, January 1981, 54. Moody’s mayoral motto was “Quietly Effective.”


43. Emblematic of the city’s dilemma was the much-trumpeted transfer of Borden, Inc.’s administrative headquarters from New York City to Columbus in the early 1970s. While the Fortune 500 food company moved

44. David Lore, “Boredom, Apathy Haunt Outlook for Columbus,” *CD*, October 9, 1977. Battelle had only a few years earlier been forced by a court order to become actively involved in community affairs. Breaking a half century of civic seclusion, Battelle in the early 1970s offered over $35 million to build a new convention center, thrusting itself dramatically into the controversial battleground of downtown redevelopment.


46. Tipton quoted in Michael Curtin, “Columbus Growing Rapidly, But Direction Unknown,” *CD*, January 11, 1976. Guided by 1974’s “Action Program for Downtown Columbus,” the product of a yearlong chamber of commerce–sponsored study by planner Vincent Ponte, the business community’s development efforts focused primarily on revitalizing the city’s moribund core. From 1961 to 1970, $144 million in public and private capital investments were made in downtown; between 1971 and 1978, that figure leaped to $584 million and would grow even higher over the next decade. Andrews, “Urban Redevelopment,” 38–43.


49. Duncan interview, April 22, 1994; Lynch interview.

50. In 1963, attorney and former speaker of the Ohio House of Representatives Kline Roberts took over for Delmar Starkey as chamber president. With Roberts at the helm, the chamber for the first time began addressing social issues such as education, poverty, and racial inequality, framing them as economic development problems. Wrote Roberts in the chamber’s 1972–73 annual report, “Gone forever is the belief that a chamber of commerce should concern itself entirely with matters of ‘business development’ alone. . . . You cannot have a good business in a bad community.”

51. POTIC did chalk up a few minor accomplishments, such as helping to establish the Police Athletic League in the early 1970s. However, said
John Henle, then the chamber's metropolitan affairs director, the chamber's conservative rank and file stifled POTIC's more ambitious aims. The real estate and development community in particular wanted nothing to do with the committee's efforts to ensure open housing. Chamber of Commerce Annual Reports; John Henle interview, March 3, 1994.

52. Willis interview; Ellis interview.
59. Tom Moody interview, January 9, 1991; Rowland Brown interview, January 6, 1991. Although race was not allowed to become a major factor in the fall campaign, Rosemond's upset victory in the June Democratic primary was attributed to black anger over a police brutality incident at the Kahiki restaurant that occurred the Saturday before the vote. Stan Wyman, "A Surprise for the Democratic Pros," CM, August 1975, 46-47.
60. "Pledge of Peace Support Sought," CD, October 8, 1975. CORC circulated a "peace pledge" for religious congregations to endorse. When David Hamlar offered a school board resolution supporting CORC's efforts, the white majority twice rejected it. Marilyn Redden contended that CORC's parent organization, the Metropolitan Area Church Board (MACB), was packed with "avid desegregationists" who were "using the issue to make a climate conducive to desegregation and mass busing. The court would then get the feeling that Columbus was ready for it and would get on with it. . . . They could be accused of starting brushfires." Others, however, viewed the board's rejection of the resolution's "basic moral commitment


62. Emphasis in original. George Rosinger, Battelle Laboratories Center for Improved Education, "The Role of the Community in Preparing for Desegregation" (paper presented at a public forum on desegregation in the schools, Upper Arlington, Ohio, March 14, 1976), Columbus Public School District files. Umbrella organizations studied by Columbus included the Dallas Alliance; IMPACT—Involved Memphis Parents Assisting Children and Teachers; Concerned Citizens for Omaha; the Committee of 100 in Milwaukee; PRO-Detroit; and Boston's Citywide Coordinating Council.

63. John Henle, to HEW representative at October 31, 1979, MCSC staff meeting, Metropolitan Columbus Schools Committee (Ohio) Records, MSS 747, Ohio Historical Society [hereafter cited as MCSC Records]; Sam Gresham interview, March 1, 1994. The Committee of Ten consisted of representatives from the Columbus Area Chamber of Commerce, AFL-CIO, Columbus Area Civil Rights Council, Columbus NAACP, Columbus Education Association, Ohio Education Association, Urban League, League of Women Voters, Metropolitan Area Church Board (including CORC), and Project Red Apple.


65. Nor was desegregation a personally emotional issue for the city's elite. While some graduated from Columbus Public Schools, few sent their children to them, opting instead for private, suburban, or parochial schools. "They were worried about [desegregation] as sort of an intellectual exercise," said Robert Duncan, "but their kids weren't going to school here." Duncan interview, April 22, 1994.

66. Gresham interview; Ellis interview.
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68. Letter from Rowland Brown to “members of the steering committee concerned with quality education in greater Columbus,” July 12, 1976, MCSC Records. See also minutes from Convenors Steering Group, June 23, 1976, MCSC Records.


70. The key passage read, “The Metropolitan Columbus Schools Committee is formed, consisting of a broad-based voluntary association of citizens concerned with maintaining quality education in metropolitan Columbus and in assisting the community to achieve peaceful and lawful responses to any Federal Court rulings respecting the Columbus School Desegregation Suit.” Significantly, the statement of purpose only mentioned “quality education,” not “quality integrated education.” MCSC Records.

71. Representatives from MCSC’s more than sixty endorsing organizations made up its governing General Assembly. A smaller Steering Committee ran MCSC’s day-to-day operations and implemented its policies and programs. The Steering Committee at the time of Duncan’s decision consisted of: Rowland Brown, chair; Urban League executive director Frank Lo­max, vice-chair; Don Pierce, executive director; Columbus and Franklin County AFL-CIO president John Hodges, treasurer; retired Major General Hugh Higgins, secretary; chamber of commerce Quality Education Committee chair John Elam; chamber of commerce vice president John Henle; Jerry Gafford, executive assistant to Mayor Moody (Ron Poole later took Gafford’s place as Moody’s representative, but Gafford remained on the Steering Committee as Lazarus’s vice president of community affairs); OSU president Harold Enarson; Call and Post general manager Amos Lynch; Fraternal Order of Police president Ross Rader; Rev. Leon Troy, pastor, Second Baptist Church; Columbus Council of PTAs president Liz Wolfe (later replaced by Loretta Heard); Columbus Education Association (CEA) president John Grossman; Bishop Edward Herrman of the Catholic diocese; Capital University president Dr. Thomas Langevin; Anti-Defamation League regional director Carol Lister; attorney Thomas Palmer; Columbus Youth Services Bureau administrator Cliff Tyree; former YWCA president Grayce Williams; Metropolitan Columbus League of Women Voters president Gloria Davis (later replaced by Sue Phillips); Ohio Farm Bureau Federation, Inc., executive vice president C. William Swank; former CEA vice president Polly Fugate; and Metropolitan Area Church Board executive director Rev. John T. Frazer. Powerful Nationwide Insurance CEO Dean Jeffers was originally a
Steering Committee member, but he quietly resigned six weeks before Duncan's ruling.

72. On March 15, the State Board of Education also voted (19–3) to appeal Duncan's decision.


75. Smith interview, January 7, 1991; Davis quoted in Charles Fenton, "Desegregation Plan Strives for '3 Points,'" *CJ*, March 23, 1977; Robert Albrecht, "Public Aid Asked for Schools Plan," *CD*, March 23, 1977. The CIPs ran from late March to April 25. A team of teachers, administrators, and PTA members would meet with requesting organizations anywhere in the city to answer questions about the *Penick* decision and hear suggestions on how the district should proceed. In addition, Davis sent letters soliciting input from 675 community organizations.

76. Criteria from an interim report on desegregation compiled by Davis and submitted to the Columbus Board of Education, Columbus Public School District files; Sohovich, "40,000 Pupils in Columbus Would Be Uprooted by Plan," *CD*, June 1, 1977; also Fenton, "3-Phase School Plans Outlined," *CJ*, June 1, 1977.

77. Three days later, the State Board approved (20–3) a three-phase, $20 million plan that desegregated all but five all-white schools to within 15 percent of a 33.6 percent black average.


79. The administrative planning team had offered several options that were rejected by the board majority as too immediate or too integrative. Asbury interview, February 15, 1994; C. Smith interview, January 7, 1991; and Charles Newman interview, March 2, 1994.

81. The 15 percent range was a commonly used remedial standard that originated during the 1960s as part of a California administrative code used to define segregated schools. Christine Rossell, *The Carrot or the Stick for School Desegregation*, 30; Micki Seltzer, "Minority Plan Involves All White Schools," *CP*, June 18, 1977.


83. As special master, Cunningham had broad powers to advise Duncan on educational issues and monitor the district's compliance with the court's orders.


87. MCSC Steering Committee minutes, April 27, 1977 and May 11, 1977, MCSC Records. Lister's impatience was shared by several other Steering Committee members.


89. Tom Fennessey, "Organizer Keeping Secret a 'Plan' to Block Busing," *CD*, July 14, 1977; "No Quarter," letter from Kaye Cook to *Dispatch,*

90. MCSC Steering Committee minutes, May 25, 1977 and June 7, 1977, MCSC Records.

91. Moody's comment echoed similar warnings by Dallas mayor Earle Cabell sixteen years earlier, as the Texas city prepared to desegregate. In many ways, the response of Columbus business leaders to the implementation of busing mirrored the reaction of southern elites to school desegregation in their cities, with Boston replacing Little Rock as the emblem of disastrous disorder. For instance, in Dallas, wrote historian William Brophy, "civic leaders ... decided that the issue should be presented to the people as one of law and order versus civil disorder and violence" (143). As a result, a group of over two hundred business leaders formed the Dallas Citizens' Council (DCC). DCC produced a short film promoting peaceful implementation called "Dallas at the Crossroads" and showed it to small civic and neighborhood groups. It also marginalized and monitored extremists, portraying them as dangerous to the community, the city's image, and the children. Dallas's peaceful implementation took place in 1961. William Brophy, "Active Acceptance, Active Containment: The Dallas Story," in Southern Businessmen and Desegregation, ed. Jacoway and Colburn, 137–50. For Moody quotations, see "Moody to Stay Neutral, Won't Back Antibusin Groups," CD, June 23, 1977.


95. MCSC ad, August 4, 1977; Rowland Brown interview; Moody interview.

96. Hamlar interview, January 3, 1991; Pierce interview.


98. Duncan quoted in Dimond, Beyond Busing, 255; Davis interview.

99. From text of Duncan's October 4, 1977 ruling, reprinted in October 5, 1977 CD.

101. Penick et al. v. Columbus Board of Education et al., 583 F.2d 787 [hereafter cited as Penick II], at 845-47.


104. The “incremental segregative effect” test would force judges to undertake the virtually impossible task of calculating the specific impact of every intentionally segregative act and precisely tailoring a remedy to fit the result. Criticized Columbus civil rights activist Barbee Durham, “It would require a staff of sociologists, psychologists, mathematicians, investigators, projectionists, computer analysts, etc. constantly at work for years. . . . It’s like a paper I was asked to write when I was a fraternity pledge. The subject of that paper was, ‘Why Is Water Wet?’” Letter from Durham to CD, August 24, 1978.


106. Memo from Burger to William Brennan, August 17, 1978, Marshall papers. Even with the United States Attorney General’s Office filing an amicus curiae brief urging the Court to vacate Rehnquist’s stay, the chances of a special session being convened were extremely slim. According to Porter, only ten had occurred in the previous 160 years. “Lawyers Unsure of Court Reaction,” CD, August 13, 1978.


108. On May 1, the board had authorized the administration to prepare contingency plans in case the district won its appeal.


111. The Youth Task Force (YTF), run by Cliff Tyree and Sue Phillips, coordinated activities for high school students with leadership potential. The goal of the YTF was to use the influence of student leaders to cultivate a constructive atmosphere in newly desegregated schools. The Cooperating Neighborhoods Program, coordinated by Frank Lomax, Carol Lister, and Metropolitan Human Services administrator Khari Enaharo, brought together parents and concerned citizens from areas of the city linked by the school board's remedy plan. The junior high schools involved were selected largely based on their potential for disruption.

112. MCSC Steering Committee minutes, August 16, 1978, MCSC Records.


114. MCSC Steering Committee minutes, August 16, 1978, MCSC Records; MCSC Statement of Purpose, MCSC Records.


116. Kaye Cook interview, February 15, 1994. NANS never revealed an official membership count, though Cook acknowledged that "there were always many more people at rallies than were actual members." Membership estimates generally ranged from one hundred to five hundred. Still, while other antibusing groups emerged in Columbus (Citizens Against Forced Busing, Neighborhood Schools Coordinating Committee, Concerned Citizens of the Centennial Area), only NANS had the backing of a national organization (NANS, Inc.) and the overt support of school board members. Langdon and Redden even became national NANS, Inc. board members.

117. This vacuum was lamented as early as August 1977, when David Milenthal, the advertising executive in charge of MCSC's public relations program, observed that unless a countervailing force emerged on the left, MCSC would come to be identified as probusing, not propeace. MCSC Steering Committee minutes, August 24, 1977, MCSC Records.

118. The closest Columbus got to a "probusing" group was the two-person letter-writing factory of Barbee and Anna Mae Durham. The Durhams
evidently did try to solicit broader support, but with no success. In MCSC's files, for example, is a copy of a letter from Barbee Durham to Muhammed Ali seeking $250,000 from the heavyweight champion for "an organization [in Columbus] that would be committed to desegregation so that it might then be able to develop a program designed to counteract the propaganda of the antibusing groups." The files contain no response from Ali. Letter from Barbee Durham to Muhammed Ali, September 1977, MCSC Records.

119. MCSC's March 1977 poll found that 59.7 percent of whites "strongly support keeping children in neighborhood schools if busing is the alternative." Only 15.6 percent of blacks answered the same way. Overall, however, "black opinion was divided, though a plurality supported busing for integration . . . 43.8 percent support busing, 16.7 percent are neutral, and 35.4 percent prefer neighborhood schools." Attitude Survey of Registered Voters, March 1977, MCSC Records.

120. Briggs, "Columbus Plan Damned." CMACAO administered Head Start and other social programs in the Columbus area.

121. Duncan interview, April 22, 1994.


123. MCSC's March 1977 survey found that 56.3 percent of black respondents accepted the statement "Integration will improve the quality of the schools," versus 29.9 percent of whites. Of blacks, 36.5 percent agreed with the statement "Better to let black and white children go to school in their own neighborhoods," versus 76.2 percent of whites. And blacks overwhelmingly rejected the statement "Schools are pretty well racially mixed" (69.8 percent to 21.9 percent), while a plurality of whites accepted it (47.9 percent to 44.1 percent). Attitude Survey of Registered Voters, March 1977, MCSC Records.

124. John Henle to HEW representatives at October 31, 1979 MCSC staff meeting, MCSC Records; letter from Joe Davis to Don Pierce, March 13, 1978, MCSC Records.

125. Revealingly, MCSC's local money-raising requests emphasized peaceful implementation, while its applications for federal funds and national foundation grants stressed "quality integrated education." MCSC Records.

126. MCSC Steering Committee minutes, January 10, 1979, MCSC Records.


129. The Supreme Court announced on January 8, 1979, that it would hear Columbus's appeal. The case was consolidated with Dayton Board of Education v. Brinkman [hereafter cited as Dayton II]. Oral arguments for both cases would be heard the same day. The Court's decision to hear the Columbus and Dayton cases was viewed as a signal of its determination to clarify increasingly cloudy desegregation law.

130. S. Porter interview; audio tape recording of oral arguments provided by Drew Days III; Dimond, Beyond Busing, 364. Tom Atkins argued for the NAACP. Drew Days III, U.S. assistant attorney general for civil rights, followed, putting the weight of the Carter administration behind Penick's original plaintiffs.

131. Nina Totenberg, National Public Radio's well-connected Supreme Court reporter, predicted in May that the Court would try to extricate itself from the controversial issue of school desegregation by overturning the lower court decisions. Dimond, Beyond Busing, 375.

132. Lister quoted in MCSC Steering Committee minutes, May 16, 1979, MCSC Records. Henle quoted in MCSC Steering Committee minutes, June 5, 1979, MCSC Records. While maintaining their faith that desegregation would take place that fall, MCSC officials began setting out contingency plans in case the Supreme Court ordered otherwise. If the Court ordered a limited remedy—"in effect, no remedy"—MCSC would alter its PR program and press for a more equitable plan. If the Court reversed Penick, MCSC would either "change its purpose and by-laws and adopt a goal of working for voluntary quality integrated education in Columbus" or disband and reemerge under a different name to pursue this aim. Such an organization, MCSC officials acknowledged, would have a difficult time attracting local funding. Options for MCSC's response to the Supreme Court decision, June 8, 1979, MCSC Records.

133. 1979 letter from Don Pierce to Bruce Evans of the Battelle Foundation, MCSC Records.

134. The court discussed Penick I and Dayton II at conference on April 27. White's opinion went through at least four drafts, and final versions were being circulated as late as June 28. Marshall Papers.


139. Tom Sheehan and Robert Sohovich, “Duncan: Fall Busing Order Is ‘Unavoidable,’” *CD*, July 13, 1979; Jerry Condo and Marilyn Greenwald, “Busing in Fall Unavoidable, Board Is Told,” *CJ*, July 13, 1979. Text of Duncan’s August 2 order reprinted in August 3, 1979 *CD*. The week before Duncan’s order, another avenue of avoidance long pursued by antibusers nationally had been sealed off. After being bottled up for two years, an antibusing constitutional amendment was discharged from the House Judiciary Committee and scheduled for a floor vote. The proposed amendment, which the Columbus school board endorsed 5–2 on July 11, guaranteed the “right to neighborhood schools,” stating that “no student shall be compelled to attend a public school other than the one nearest his residence.” Advocates of desegregation argued that a “right to walk” amendment would trivialize the Constitution and undercut efforts to integrate public schools. On July 24, after an emotional debate, the House voted 216–209 to reject


141. MCSC Steering Committee minutes, July 2, 1979; Columbus Board of Education resolution, July 11, 1979, Columbus School District files.

142. Redden interview.

143. Because of her dramatic declaration at the August 6 MCSC forum, Prentice generally has been given credit for this phrase. However, several interviewees credited the superintendent with “feeding” Prentice the line, which he then displayed on a banner hung at administrative headquarters. School officials may well have lifted the line from another desegregated district. A 1976 *Call and Post* article, for example, quotes the Hoke County, North Carolina, superintendent saying, “It shall be done—and done well.” “Varied Plans Available to Desegregate Schools,” *CP*, December 4, 1976.


145. See diagram, Columbus Public School District files.

146. Moody interview. Changing an officer’s demeanor did not mean changing his view of desegregation, of course. NANS’s Kaye Cook contended that she received police intelligence from sympathetic officers who were also clandestine NANS members. “Some of them,” she said, “would escort me to the rallies.” Cook interview.

147. Also, police intelligence units collaborated with the FBI to infiltrate and monitor antibusing organizations ranging from NANS to the American White Nationalist Party, which may at least partially explain the cozy relationship Kaye Cook describes in n. 146.

148. For example, said Desegregation Task Force chief James Rutter, the department was prepping officers to deal with citizens who had never before broken the law. In Louisville, they had learned, police were “not prepared to meet their wives, neighbors, and relatives” on the other side of the barricades. Jim Smith, “City Police Intend to Be ‘Ready for Any School Problem,’” *CJ*, August 27, 1979; Billy House, “Desegregation Security ‘Ready’ as School Opening Nears,” *Northland News*, August 15, 1979.


151. Because ESAA Title VII funds could only be granted to districts where good-faith desegregation plans were in place, the Supreme Court decision and Duncan's ensuing order also resuscitated MCSC's grassroots programs.


153. Henle to HEW representatives, MCSC October 31, 1979 meeting, MCSC Records.

154. The figure given in MCSC's 1980 ESAA application was $300,000, though the specific breakdown of funding sources is unclear. According to audits of MCSC's finances, money for the Community Awareness Program came primarily from these local private donors: the Battelle Foundation, the Columbus Foundation, the Yassenoff Foundation, and the Columbus Area Chamber of Commerce's Forward Columbus Fund. By far the biggest contributors to MCSC were the chamber ($143,000) and the Battelle Foundation ($141,000). MCSC ESAA application, May 28, 1980; audited financial statements, June 30, 1978 (Ernst and Ernst) and June 30, 1980 (Ernst and Whitney), MCSC Records.


South Side, Buckeye had an enrollment that shifted from 4 percent black to 43 percent black with desegregation. The remedy plan paired Buckeye with Beery Junior High School, situated in a mostly black working-class area across the Conrail tracks from Buckeye's attendance area. Desegregation changed Beery's racial ratio from 65 percent black to 65 percent white.


161. Radebaugh interview.

162. Brown interview.


165. Brown interview; Moody interview. The only significant scare occurred on Wednesday, October 10, when police and FBI agents arrested John and Edward Gerhardt for conspiring to bomb Olde Orchard Elementary, where Robert Duncan's daughter Tracey was a fifth grader. The Gerhardt brothers, leaders of the American White Nationalist Party, had an extensive and sporadically violent history of right-wing extremism. Their activities were so well monitored by the Columbus Police Department and the FBI, however, that Edward unknowingly assigned an informant to buy the ingredients needed to make the bomb. On February 2, 1980, Sixth District Court judge Joseph P. Kinneary sentenced the brothers to six years in prison for conspiring to violate the rights of schoolchildren, six years for attempting to damage an institution receiving federal funds, and one year for attempting to interfere with a court order.

166. CD, September 6, 1979. To ease the shock of systemwide desegregation, the district had staggered the start of the school year. Grades 1–7
and 10 began September 6, with the rest of the students arriving the following day.


169. Among them: an absence of territorial ethnic enclaves; a sympathetic and sensitive judge; a low-key superintendent who quietly developed the trust of both pro- and antidesegregation forces; a relatively tranquil racial climate not dangerously strained by resistance to black advancement from the city's comparatively small population of blue-collar whites; and, ironically, Justice Rehnquist's stay, which permitted more extensive logistical preparation, provided the angriest parents more time to exit the school system, and allowed the volatility that surrounded desegregation earlier in the decade to recede an extra year.


171. MCSC Steering Committee minutes, September 17, 1979, MCSC Records. "Needs assessment" for MCSC's 1980–81 ESAA Application, MCSC Records. Judge Duncan allowed Columbus to establish a unique internal desegregation monitoring system, headed by Asbury the first year and Calvin Smith from then on. The monitoring office submitted regular reports (initially monthly, eventually semiannually) to Duncan containing detailed data requested by the judge and his special master. These reports can be found at the main branch of the Columbus Public Library.


173. MCSC Steering Committee minutes, October 17, 1979, MCSC Records; MCSC ESAA Advisory Committee minutes, February 14, 1980, MCSC Records.


176. John Henle’s chamber contract expired in May 1979 and was not renewed. He had worked there since 1969 and was MCSC’s main advocate and behind-the-scenes broker. Rowland Brown, though hailed for his leadership of MCSC, lost much of his clout as a business leader when the faltering Buckeye International merged with Worthington Industries. In late 1980, Brown became CEO of Online Computer Library Center, Inc. in Dublin. As for John Elam, see n. 177.

177. Cook, "MCSC’s Dilemma," 59. A Democrat and social liberal, Elam had long been a supporter of increased integration. For the better part of a decade, he had also played a prominent role in the Roberts-led chamber. By 1979, however, his name appeared nowhere on the chamber’s list of officers and directors, and the Quality Education Committee that he headed had become increasingly insignificant. His sudden and rather stark call for ending MCSC seemed more to reflect his position as the delegate of an uninterested business leadership than his personal attitude toward MCSC’s aims. MCSC’s September 17, 1979 minutes specifically note that “Elam spoke as a representative for the business community” when he “made the recommendation that . . . MCSC should disband.” See also MCSC Steering Committee minutes, September 17, 1979, MCSC Records.

178. Among those whose endorsements did accompany the 1980 application were Mayor Moody, Superintendent Davis, teachers’ union president John Grossman, and Penick special master Luvern Cunningham (joined by Judge Duncan). By contrast, MCSC’s 1978 ESAA application contained enthusiastic endorsements from both Elam and the chamber. “Continuation of MCSC’s community programs are essential to maintaining and enhancing the health of the Greater Columbus community,” the chamber said. See MCSC staff meeting notes, December 17, 1979; MCSC ESAA application, November 28, 1977; MCSC ESAA application, May 28, 1980, all in MCSC Records.

179. Lomax quoted in Cooperating Neighborhoods Program minutes, April 25, 1980, MCSC Records. Henle quoted in MCSC staff meeting notes,
180. Moody interview.
181. In 1978 and 1979, MCSC received one-year ESAA grants totalling $163,000 to fund the Cooperating Neighborhoods and Youth Task Force programs. Unexpected cuts, however, nullified MCSC's 1980 ESAA application.

Chapter 3

1. Until the late 1960s, only "resident freeholders"—landowners who lived on their land—could sign annexation petitions. Pressure from pro-development forces, however, led to a change in the law that permitted "non-resident freeholders" to sign petitions. This change gave absentee landlords and businesses with large real estate holdings much more leverage to influence the annexation process.


4. From 1956 to 1966, the number of separate school districts in Ohio fell from 1,234 to 650. Over the next twenty-three years, the number fell by only 37 to 613. Ibid., 36-42. Territory transfer statistics compiled by Dr. George Saribalas, Ohio Department of Education.

5. The ability to expand via annexation has come to be seen by many as essential to sustaining the overall health of an urban area. Older, decaying northeastern cities have generally been surrounded by suburbs since before World War II, while newer, sprawling Sunbelt cities have had the freedom to enlarge. See Jackson, Crabgrass Frontier, 138-56; David Rusk, Cities without Suburbs.

6. Jonas, "Local Interests," 141-44. There were several far-reaching advantages to building out instead of up. Economies of scale enabled the city to service new residential and industrial development more efficiently and cheaply than surrounding municipalities could. A larger city meant a
larger tax base, and a larger tax base meant a lower tax burden on individuals and businesses. Annexation allowed housing developers to bring substantial tracts of land into Columbus that would not be subject to the stringent, exclusionary zoning restrictions of most residential suburbs; new subdivisions could thus receive services quickly and efficiently, on cheaper land, with more homes to the acre. Finally, annexation enabled the city to avoid being surrounded by suburbs often hostile to additional growth and development (particularly the industrial development sought by the chamber of commerce at the time).

At the same time, however, rapid expansion also funneled new construction, infrastructure, and resources away from the central city, leaving older, increasingly poor areas to deteriorate. As tax-funded infrastructural improvements facilitated the abandonment of the central city, discrimination concentrated African Americans within this area. Thus, while geographic expansion softened the impact of urban decay on Columbus, its benefits were by no means equitably distributed.

7. To finance infrastructure for the newly annexed areas without depending on federal funds, the Sensenbrenner administration created a capital improvements fund out of 25 percent of the receipts from the city's income tax. The fund was used to finance bonds approved by the electorate. Ibid., 194; M. D. Portman, "City Should Look Inward for Growth," CD, March 15, 1992.

8. Columbus's area was over ninety square miles by 1960. "Progress, Growth and Annexation," City of Columbus Department of Development, 1968; Columbus Area Chamber of Commerce Annual Report, 1956–57.

9. The city annexed only a little over five square miles of territory under Westlake. "Progress, Growth, and Annexation."


13. Clemons v. the Board of Education of Hillsboro, Ohio, 228 F2d 853 (6th Cir. 1956); Deal v. Cincinnati Board of Education, 369 F2d 55 (6th Cir.

14. Overall, between 1955 and 1985, the State Board of Education received 297 territory transfer requests, approving 76.4 percent of them. The state board approved 76.7 percent of Columbus's 60 requests during that thirty-year period, with virtually all of the approvals occurring before 1965. Foster, "Hot Topic." Annexation statistics compiled by Dr. George Saribalas, Ohio Department of Education.

15. Eibling, "Dateline 2000," 64; Cremeen quoted in Yost, "Annexing Game." "Annexation in Franklin County," *Columbus Business Forum*, March 1968, 11–12; Foster, "Hot Topic." In 1968, Worthington ceded 2,400 acres and 1,100 students to the Columbus schools. In return, Columbus agreed not to seek transfer of territory that had been annexed to the city of Columbus but remained in the Worthington School District. The land that Worthington retained included an Anheuser-Busch brewery that had opened the year before. The biggest industrial branch plant to locate in Columbus during the past twenty-five years, the brewery continues to be the city of Columbus's largest sewer and water consumer, yet the Worthington School District's largest tax base contributor. Kathy Gray Foster, "School Annexation: It's More Than a Land and Money Issue," *CD*, October 7, 1984; Michael Curtin, "Annexation by Choice," *CD*, March 10, 1985; Debbie Briner, "Columbus Won't Challenge '68 Agreement, Official Says," *Northland News*, March 12, 1986.

16. In 1968, Columbus voters approved an 8.2-mill levy after the board promised to spend the additional money on "supplementary" items such as art, music, and physical education teachers. Rising inflation ate away at the new funds, however, and bitter negotiations with the nascent Columbus Education Association resulted in much of the rest of the money being channeled into teacher salaries. This situation seriously damaged the district's fiscal credibility and contributed to disastrous bond issue and levy defeats in 1969 and 1971.

18. While suburban officials sought to delay the portion of the deal that affected them, the Mifflin transfer itself proceeded without obstruction, formally occurring on July 15, 1971. In the transfer deal, Columbus received a portion of the Westerville City School District municipally served by Columbus since 1956. It included approximately 2,800 students, almost all of them white, and 20 to 25 percent of the district’s tax base. Norris’s second attempt to enact territory transfer legislation passed the Ohio House but died in the Ohio Senate. Gerald Tebben, “Bill Supported in Suburbs,” CD, March 23, 1975; Robert Ruth, “School District Annexation Faces House,” CD, July 6, 1975; “School Transfer Appeal Defeated,” CJ, July 10, 1975.


20. “Segregation Increase Feared”; “Columbus Opposes Transfer Bill.”


22. Andrew Jonas comes to a similar conclusion in his 1989 OSU geography dissertation, citing 1973 as the point when development interests in Columbus became aligned with increasingly powerful and vocal coalitions of suburban parents and officials, at the expense of the Columbus Public School District. Jonas, “Local Interests.”

23. The initial development decline is in part attributable to the OPEC-driven recession of 1973–74. The complete absence of a postrecession home-building revival, however, can only be ascribed to looming desegregation. Interview with Carl Klein and Steve McClary, City of Columbus Development Department administrators, November 12, 1992.


25. Coleman, Kelly, and Moore, Trends in School Segregation, 79–80. By the late 1970s, researchers had reached a rough consensus that school desegregation contributed less than most people thought and more than some scholars contended to America’s post–World War II middle-class suburban migration, and that whatever “white flight” desegregation spurred occurred primarily during the years immediately surrounding implementation. For the past fifteen years, the sociological debate over desegregation generally has assumed the reality of resegregation and focused instead on which desegregation plans most effectively foster integration without furthering segregation.
26. "They Came, They Saw, They Liked and Disliked," CM, March 1978, 48. Other factors at the time that facilitated Columbus's suburban-like sprawl included the completion of the Interstate-270 "Outerbelt," which opened previously isolated outlying areas to industrial and residential development; the opening of Muirfield Village, a high-end housing development in Dublin that pulled growth toward the county's northwest fringe; and the signing of new water-sewer service contracts between Columbus and its outer-tier suburbs that solidified development boundaries for twenty years.

27. Milliken v. Bradley, 418 U.S. 717 (1974). The Court's 5–4 decision disallowed Sixth District judge Stephen Roth's controversial Detroit desegregation order, which incorporated the Detroit public schools and 53 surrounding suburban districts into a sweeping, regionwide remedy. Milliken made it virtually impossible for plaintiffs to prove the existence of intentional, metropolitan segregation, thus largely confining desegregation remedies to central city districts. Warned Thurgood Marshall, in one of his most prescient and passionate dissents, "In the short run, it may seem to be the easier course to allow our great metropolitan areas to be divided up each into two cities—one white, the other black—but it is a course, I predict, our people will ultimately regret" (815).

28. "Redlining" was the practice, institutionalized by the federal Home Owners' Loan Corporation in the 1930s and consequently adopted by banks nationwide, of specifically delineating older, often predominantly black areas of a city and withholding investment from them. As part of a four-tiered lending-industry color code, these areas were outlined in red on "residential security maps" to indicate their lowest-priority status. Jackson, Crabgrass Frontier, 196–203; Massey and Denton, American Apartheid, 51–52.


30. Smith interview, January 7, 1992.; Jim Hyre interview, October 30, 1991. North High School was located in the virtually all-white neighborhood of Clintonville, just north of Ohio State University. Though one of the city's most prestigious and tradition-rich high schools, budget cuts and declining enrollment made it a casualty of school closings in 1978.

31. In 1977, the U.S. Department of Housing and Urban Development audited Columbus as part of a multiple-city study of housing discrimination. Using testers, HUD found that whites in Columbus received favorable treatment in 52 percent of the 29 audits involving rental units and 63 percent of the 40 involving sales units. Nationwide averages were 39 percent and 48 percent, respectively. According to Massey and Denton, "White


33. At the same time, suburban officials shunned even minimal, voluntary attempts to foster interdistrict, integrative contact. After the Ellis administration wrote letters to every Franklin County school district proposing integrated student exchanges and field trips, only one such effort occurred, involving twenty-four East, Northland, and Westerville North students. Grandview Heights board member Ralph Antolino proposed matching Grandview and Columbus sixth graders for educational field trips. “Presently,” his motion read, “the only integrated experience offered by R.L.S. [Grandview’s Robert Louis Stevenson Elementary] is the relationship the students have with one black custodian.” The proposal died when Antolino’s motion was not seconded. Though these incidents involve superficial proposals, they do illustrate the depth of suburban resistance to even a hint of integration. “‘Mini-Exchange’ Stimulates Students,” CD, April 3, 1976; Betty Daft, “Integrated Trip Proposal Killed,” CJ, May 12, 1976.

34. From December 1968 to December 1976, 46.3 percent of all non-Columbus levy attempts in Franklin County passed; in 1977 and 1978, however, the rate rose to 92.3 percent. Statewide, on the other hand, well under half of all school levies passed. Eric Rozenman, “Odds Grow Longer against School Funds,” CJ, September 6, 1979.

35. “Focus: Spring Levy Formula Certainty for Repeat,” CD, September 15, 1977. Five districts passed levies in the spring of 1977 greater than or equal to ones that had failed the previous fall. Three others had first-try levies pass during that election, which took place shortly after Judge Duncan released his desegregation decision. Columbus board members specifically accused Groveport-Madison, South-Western, Upper Arlington, and
Westerville school officials of exploiting the threat of busing during their levy campaigns.


37. Black voters were consistently the strongest supporters of school levies, while white voters on the district's northwest and southern fringes composed the staunchest opposition. A consultant's review of the spring 1978 defeat concluded that "a permanent and complete overruling of the Duncan Court . . . would be helpful to passage of a levy, and might provide the crucial margin" (emphases in original). Still, given the divisiveness engendered by desegregation, it is remarkable that two of Columbus's four additional levy attempts between the Penick trial and implementation failed by less than 2 percent. "Voter Attitudes Toward a School Levy," survey prepared by Hugh M. Clark, August 1978, Columbus Public School District files.

38. Until the late 1960s, Ohio school tax levies were "continuing"—they lasted a set number of years and had to be renewed by voters. A change in the law, however, made all tax increases permanent except emergency levies and bond issues. Voters were more reluctant to approve "additional" operating levies—in essence, permanent tax increases—than finite "continuing" levies; the legal change, however, enabled districts to make fewer appearances on the ballot.

39. Columbus was not the only urban system in Ohio having little success at the voting booth. Out of twenty-seven levies attempted by Ohio's eight biggest school districts between 1971 and 1979, twenty-five failed. By contrast, between 1945 and 1968, the Columbus Public Schools had passed all twenty-two of its ballot issues. Robert Sohovich, "Levy Defeat Is Not the End—Davis," CD, March 28, 1979; Don Baird, "Funds for Alternative Schools to Be Included in 7.6 Mill Levy," CJ, August 18, 1981.

40. The rollback law was amended to the state constitution in 1980.


43. The percentage of Columbus Public School students receiving Aid to Families with Dependent Children grew from 11 percent in 1968 to

44. From the early 1970s to the early 1980s, the percentage of Columbus adults with children in the public schools dropped from 39 to 27. More adults with school-age children meant easier levy efforts, as voters with a direct connection to the district were more amenable to raising their own taxes than those with no personal stake in the schools.

45. Chris Eversole, "Where Have All the Pupils Gone?" CJ, April 11, 1979.


47. Overall, Franklin County saw a 23 percent public school enrollment decline between 1973 and 1983, from 183,856 to 141,691. Columbus dropped 32.9 percent, Upper Arlington 36.3 percent. The only districts to grow were the outlying suburbs ringing the city's north and northwest sides: Westerville, 3 percent; Worthington, 3.5 percent; and Dublin, a phenomenal 79.4 percent. Page and Taylor, "Columbus Schools Facing 'Resegregation.'" See also Shuara Wilson, "Dublin Schools Grow Fastest," CD, November 5, 1984, for 1979–84 comparison.

48. Columbus real estate consultant Kenneth Danter posed this question in a 1990 article about the city's home-building market. He asked, "Traditionally, suburban schools have been perceived as being better, but to whom does that perception belong—developers or home buyers?" His conclusion was that there had not been enough development within the district to provide an answer. "Until enough lots are developed to give home buyers economic, geographical, and conceptual alternatives," he wrote, "we cannot make definitive conclusions." Kenneth Danter, "Co-


50. Aggregate housing units in the city of Columbus grew 29.7 percent during the 1970s. Figures compiled by the City of Columbus Development Department, Planning Division Research Section, from United States Census Bureau data.

51. Robert Weiler interview, October 19, 1992. The Robert Weiler Company was a prominent local real estate brokerage firm founded by Weiler's father in 1938. Weiler, whose four children attended Columbus schools, had been actively involved with the district since the early 1970s. Weiler's denial of a race-risk nexus was echoed by other representatives of the real estate community during interviews and in newspapers. Developer Don Epler: "[Builders and developers] are driven not so much by the schools, but where the sales are." [Epler interview]; Don Cary, vice president of Fritsche Homes: "If the market was there, the builders would build there. People aren't coming in asking for Columbus schools. The market drives itself." [Don Cary interview, winter 1992]; Tom Simpson, M/I Homes vice president: "Evidently there's not [a Columbus Public Schools market] because no one is building there." [Cynthia Crane, "Northwest: Straddling School Systems," \textit{Upper Arlington News}, April 17, 1985].

52. A phrase such as "significant black presence" is, of course, difficult to define precisely. However, studies have shown the residential "tipping point"—the racial ratio at which white residents of a neighborhood begin to flee as more black residents move in—to be as low as less than 10 percent black. For overviews of these studies, see Massey and Denton, \textit{American Apartheid}, 88–96; Metcalf, \textit{From Little Rock to Boston}, 227; Gerald David Jaynes and Robin M. Williams Jr., eds., \textit{A Common Destiny: Blacks and American Society} (Washington, D.C.: National Academy Press, 1989), 140–44; and David Armor, \textit{Forced Justice: School Desegregation and the Law}, 117–53.


55. A Franklin County Fair Housing Research Study compiled for county commissioners estimated that "within four or five years the majority
of students in Columbus schools will be black. In the minds of the public there will be one black school system—Columbus—and fourteen white (suburban) school systems" ("Race Relations Analyst Pictures Polarization," CD, March 30, 1980). Similarly, while noting that city schools "will continue to play a central role in the quality of life of Central Ohio," the Columbus Area Chamber of Commerce's January 1981 "Five Year Plan" predicted that "the Columbus Public School system's total population will continue to decline, while its black population will grow from 30 percent to 50 percent. [It] will continue to face increasing challenges in substantive areas."

56. In a 1981 report, Gary Orfield spotlighted the common areas as a unique and ominous feature of Columbus's desegregation-housing relationship. "Blacks in the metropolitan area are highly concentrated in certain Census tracts within Columbus," he wrote, "all of which were within the part of the city served by the Columbus public schools. This means that, although the metropolitan community has a relatively low black population (and very few Hispanics), the racial problem for the public schools is a rapidly growing one, posing a long-term threat to the city's school desegregation efforts. . . . The fundamental problem for Columbus is that demographic trends have undermined existing school desegregation plans." Gary Orfield, "Columbus Schools and Housing," 27, 40, Columbus Public School District files.

57. For Richmond, see John V. Moeser and Rutledge M. Dennis, The Politics of Annexation: Oligarchic Power in a Southern City.


59. Ninety-five percent of Franklin County's African American population lived within the boundaries of the Columbus Public School District, according to 1980 U.S. Census Bureau figures. In 1983, the Citizen-Journal reported, the Columbus schools "educated 92 percent of the blacks in Franklin County's public schools and 82 percent of the students who qualified for subsidized lunches and milk." No school district in the county at the time had a black population of over 5 percent. Page and Taylor, "Columbus Schools Facing 'Resegregation.'"

61. The district had closed forty-nine schools since 1972. Annexation discussions emerged as the board was considering shutting down another fifteen—several of which were situated on the district's periphery—even as suburban systems continued to build schools in the common areas nearby.

62. The fourth new board member was John T. Bonner Jr., who was selected by Probate Court judge Richard Metcalf to complete Steven Boley's unexpired term. Boley had been elected to city council that fall. Robert Sohovich, “Six School Board Candidates Urge Annexations,” CD, October 21, 1979; “Board’s 4-Seat Change Historic,” CD, December 17, 1979.


64. During the spring of 1980, the Supreme Court sent conflicting signals regarding the continued validity of already rare metropolitan remedies. In late April, the Court ordered an interdistrict remedy for Wilmington, Delaware; two weeks later, it affirmed without comment the rejection of a similar plan in Atlanta. For Wilmington, see Dimond, Beyond Busing, 283–339, 388–94; for Atlanta, see Gary Orfield and Carol Ashkinaze, The Closing Door: Conservative Policy and Black Opportunity, 103–48.

65. Moreover, argued board members, Columbus had a legal responsibility to explore the option of annexation. Failure to challenge the existence of the common areas, they contended, could be interpreted by the courts as a refusal to act affirmatively to eliminate illegal segregation. Robert Sohovich, “Metropolitan Busing Still in Talking Stage,” CD, June 22, 1980.

66. The state board had been found co-liable in both the Columbus and Cleveland desegregation cases. “Columbus Board Considers Annexation of Areas Served by Suburban Schools,” CJ, May 1, 1980; Robert Sohovich, “Talk of School Annexation Could Stir Up The Suburbs,” CD, May 1, 1980.

67. A 1979 report by the Mid-Ohio Regional Planning Commission (MORPC) found that the Columbus Schools could gain $14.1 million in tax revenue by annexing the entire common area, a revenue increase of 16.4 percent. In addition, more students would enable the district to claim more state aid. The report noted, however, that expenses would rise as well. Robert Sohovich, “Proposal Says Annexation Could Fatten School Fund,” CD, June 26, 1979; Robert Sohovich, “Board OKs 15 Closings”; Marilyn Greenwald, “Closing of 15 Schools Gets Final Board OK,” CJ, April 30, 1980.


71. The possibility of voters actually approving such a transfer was considered so far-fetched that it never even entered the debate.


76. More new development in the common areas made Columbus school board members even less likely to risk the uproar an annexation effort would invariably cause. Also, the more controversial the annexation request, the more unlikely the state board was to approve it.

82. Willis interview.
83. See the administration's status reports to the district court for the most comprehensive statistical picture of desegregation's impact.
85. An added stress was Columbus's 1980 shift from junior high schools (grades 7–9) to middle schools (grades 6–8), a change that necessitated a second consecutive year of substantial student reassignment. The shift, intended to address a disturbing decline in the district's postelementary test scores, was a classic example of a common practice among desegregating school systems: the use of desegregation as a distraction to camouflage educational reforms that administrators and school board members might otherwise deem too disruptive to implement.
87. The levy's chamber-directed campaign turned the district's outdated textbooks into compelling symbols of fiscal need. East High teacher Gary Heffner noted that his 1969 senior psychology textbook promoted "so much stereotyping that I use it as an example of how roles change." Said administrator Norval Goss, "When a student is figuring problems and reads that hamburger costs 37 cents a pound, he's going to know something is wrong. . . . It's sort of a standing joke here. Do we fix leaking roofs and not buy books? Or do we buy books and have the rain leak through the roof on them?" Debra Phillips, "Stale Texts Hinder Teaching in Columbus," *CJ*, February 9, 1981.
88. The levy passed with 51.8 percent of the vote. For voter turnout breakdowns, see: "Levy Evaluation—1981," Columbus Public School


90. Hyre interview.


93. Tom Sheehan, "Back Us or Quit, Hyre Tells Staff," *CD*, January 24, 1983.


95. Hyre interview.


98. By far the most influential of these studies was *A Nation at Risk: The Imperative for Educational Reform*, a 1983 report by the National Commission on Excellence in Education.

99. In 1984, the Dispatch called Hyre “one of a relatively new batch of Columbus leaders whose public image involves blatant, unapologetic positivism” (Julia Keller, "Hooray for Enthusiasm," *CD*, May 27, 1984). It was gung-ho Republican mayor Dana “Buck” Rinehart, however, who best embodied this new boosterism. Rinehart’s guiding principle—“you can make a positive out of anything”—reached its comic apex in 1986 after Columbus garnered national attention when a huge sinkhole suddenly opened up in the middle of downtown, swallowing an unsuspecting (and unharmed) motorist. The city rescued the Mercedes and promptly began using it in its efforts to attract new conventions, transforming a near-tragic example of infrastructural deterioration into a bizarre civic emblem.

100. Not to mention, of course, the contribution of business to the tax rolls. Business generally provides around two-thirds of the city school district’s local tax revenues.
101. SummerTech continued for the rest of the decade. As personal computers became more common and user-friendly, however, interest gradually waned, and the program eventually succumbed to budget cuts.

102. I Know I Can supplies Columbus students with both the informational and financial resources demanded by the college application process. It also provides “last dollar” tuition grants to needy graduates.


104. The original ten alternative schools (seven elementaries, two middle schools, and one high school) drew students chosen by lottery from a city-wide pool of applicants. The lottery was weighted to ensure racial balance.


106. Hyre interview.


109. All three were alternative schools: Berwick Elementary (17 percent), Linden Park Elementary (26 percent), and Monroe Middle (28 percent). “How Columbus Students Measure Up,” CD, December 7, 1986.


113. West, "Columbus Schools," 52–53. The race-class issue was further blurred, however, by the fact that for years, the city's black leadership had been abandoning the Columbus schools as well. As far back as Watson Walker, whose sons were two of the first three African Americans to attend the Columbus Academy, many black leaders had opted out of sending their children to schools in the city system. Though many influential blacks continued to live within the district's boundaries, often in comparatively integrated areas like Berwick and Olde Town East, they frequently chose private and parochial schools for their kids, a reality that has undoubtedly tempered black educational activism in Columbus. "They don't believe there's any hope," said the Urban League's Sam Gresham, whose three children attended Columbus schools, "so the most important asset in their lives, they're taking out of Columbus Public Schools and putting it somewhere else" (Gresham interview). Still, Hyre and other district leaders knew that recapturing the black leadership, while an urgent priority, was not alone enough to sustain the district's economic diversity; the black middle class by itself simply lacked the numbers, the resources, and the political clout to arrest the system's slow slide into poverty.

114. Hyre interview.
115. Ibid.
117. Eibling was the son of former Columbus school superintendent Harold Eibling. Memo from Carole Williams to Stephen Eibling and Jim Hyre, January 15, 1985, Columbus Public School District files.
118. "Selling to Sellers" program description, Columbus Public School District files; memo from Laura Ecklar to Stephen Eibling, March 24, 1986, Columbus Public School District files.
119. District Court Order, Penick et al. v. Columbus Board of Education et al., April 11, 1985, 3.
120. The order also echoed the sense of personal involvement that had characterized Duncan's handling of the case from the beginning. Wrapping up a decade of "terribly expensive, time-consuming, and agonizing" litigation, Duncan wrote, "I am well aware that the heavy burden of this case was and continues to be borne by the students. Their adjustment to the
difficulties of this case—none of which they caused—has commanded the Court's admiration, and the response from Columbus students sets a high mark for community citizenship. My thanks to all of you.” Ibid., 14, 16.

121. Ibid, 15. The other race-related issue specifically cited by Duncan as an ongoing concern was the shrinking proportion of white students in the Columbus schools. Statistics from Kathy Gray Foster, “Violence Up Sharply in Schools,” CD, October 2, 1985.

122. One factor that contributed to the discipline disparities was the persistent (relative) lack of black teachers in the Columbus Schools. In 1971, 12.9 percent of Columbus teachers were black; in 1986, 20.4 percent were black. During that time, the proportion of black students in the district grew from 28.2 percent to 43.9 percent. In their study of desegregation remedies, Meier, Stewart, and England concluded, “Without a doubt, the single best predictor of second generation discrimination is the percentage of black teachers [in a school district].” Kenneth J. Meier, Joseph Stewart Jr., and Robert E. England, Race, Class and Education: The Politics of Second Generation Discrimination, 106. Columbus black teacher statistics from “More Black Teachers Are Needed in Columbus Public Schools,” CP, April 3, 1986; Holland quote from Paul Sussman and Michael Taylor, “Schools Still Aren’t Color Blind,” CJ, April 12, 1985.

123. District Court Order, April 11, 1985, 7-8. According to the district’s 1978 “Choices for the 80’s” report, 77.3 percent of the students expelled during the 1976-77 school year were black. Only 48.5 percent of the secondary school students suspended that year were black, but blacks made up only 32.1 percent of the district’s enrollment at the time. Far more disturbing than the racial disproportionality of desegregation discipline statistics was their stunning rise in magnitude. Between 1976-77 and 1985-86, expulsions rose from 22 to 219, suspensions from 5,810 to 18,699, despite a drop in enrollment from 96,571 to 66,823. It must be noted, however, that the district’s information-gathering capacity grew considerably during those years, so some of the disparity in numbers may be attributable to more complete data. “Choices for the 80’s,” 7-8; Foster, “Violence Up.”

124. District Court Order, April 11, 1985, 8. Cunningham interview; “Results of the 1987 Student Opinion Survey,” March 1987; “Columbus Public Schools Community Survey Results,” 1985; memo from Dennis Benson to Laura Ecklar, December 17, 1985; letter from Laura Ecklar to Don Epler, April 19, 1987; all from Columbus Public School District files. Ecklar to Epler, April 19, 1987.

125. In 1979, the district projected that enrollment would drop to 59,846 by 1985 and 52,227 in 1989. Actual enrollment, however, stood at
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127. Memo to board members from Stephen Eibling, April 11, 1985, Columbus Public School District files.


129. “Planning in the Dark,” *CJ* editorial, December 9, 1985. The plan returned the district’s elementary schools to “K–5” centers, eliminating the K–3, 4–5 grade split left over from the original desegregation plan. In doing so, it reduced the number of students bused by eight thousand and reestablished parent-pleasing elementary school continuity. The plan also raised the number of alternative elementary schools from seven to fifteen and the number of alternative middle schools from two to six.

130. With a levy try expected the following spring, it also sent a carefully timed signal to Columbus voters.


133. Hammond interview; McClary and Klein interview.


1986; Kathy Gray Foster, "Schools Accord Is a Year Old," *CD*, May 16, 1987. Because of the number of parties involved, Goldaber extended win-win's standard thirty-day timetable to six weeks. The twelve school districts that took part in negotiations were: Canal Winchester, Columbus, Dublin, Gahanna-Jefferson, Groveport-Madison, Hamilton Local, Hilliard, Plain Local, Reynoldsburg, South-Western, Westerville, and Worthington.


140. The Columbus Public School District's emblem was an apple.


142. Paul Sussman, "Ebright Rebuffed on School Annexation," *CJ*, February 20, 1985; Kathy Gray Foster, "Ebright Won't End Annex Try," *CD*, February 20, 1985. According to the notes of school district communications director Laura Ecklar, board members Williams, Heard, Holland, Eibling, and Charles Carlos all felt that annexation was not necessarily desirable. Eibling and Williams argued that Columbus did not need suburban students to become a great district; Holland believed that the costs of annexing these students would outweigh the benefits; Eibling considered nonannexation a pragmatic stance, a concession to political reality; and Williams and Heard contended that coterminous boundaries would just cause suburbanites to flee Columbus proper—instead, they maintained, quality programs must be developed to lure people back to the city schools. Ebright, however, argued that "'not unwinnable' is a weak argument" and said that board members lacked the data to support their cost-benefit claims. Columbus Public School District files.

143. Roger Viers interview, March 2, 1994; Young quoted in Robert Albrecht, "Board Explains Stand on School Annexation," *CD*, February 12, 1986; Robert Albrecht and Catherine Candinsky, "Board Upsets Superintendents,"
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145. Two districts with particularly valuable industrial property at stake were South-Western, with its Fisher auto body plant, and Gahanna-Jefferson, with its AT&T plant and Limited warehouse.


147. Columbus Development Department, "Growth Statement 1990," 58.


151. Maintaining countywide peace was deemed essential for a more specific reason as well. In the spring of 1986, city leaders were waging an all-out campaign to pass a countywide 0.5 percent sales tax increase. The tax hike was proposed to fund construction of a domed stadium and convention center, a long-held goal of civic boosters. The $305,000 campaign, the most expensive in chamber of commerce history, was led by Columbus's most influential developers (Galbreath, Kessler, Schottenstein), business executives (especially Wexner), politicians (Mayor Rinehart), and many others. Though local leaders repeatedly called the proposed New World Center "the key to the future of the city," the tax hike was defeated, 53 percent to 47 percent.

152. The Columbus Foundation readily agreed to pay Irving Goldaber's fee, an indication of the business community's desire to see the controversy resolved.

153. Barrow interview; Hyre interview.


157. Between 1980 and 1985, the Columbus school district's tax valuation grew at the third slowest rate of the sixteen school districts in Franklin County. The top four were all northwestern and northern suburbs: Dublin (61 percent), Hilliard (46 percent), Westerville (39 percent), and Worthington (34 percent). Wagman, "Static Tax Base."


160. Weiler interview.

161. Indeed, the builders PAC contributed more money in 1986 to the campaigns of representatives involved with annexation legislation than in 1984. The contributions of the Realtors PAC showed an even bigger increase, perhaps as a reward for resolving the issue. For example, real estate agents gave Representative Otto Beatty (D–Columbus), one of the sponsors of an annexation bill similar to the legislation finally approved, $1,000 in 1986, twenty times more than they had given him in 1984. David Wagman, "Developers Pushing for Passage of School Annexation," Business First, April 21, 1986; for political contribution figures, see Jonas, "Local Interests," 231.


163. Sutliff and Ruma quoted in Wagman, "Developers Pushing."

164. Kathy Gray Foster, "Home Builders Fear Annexation."


167. This consolidation ironed out the multilateral complexity of the negotiations and enabled Columbus to bargain on equal terms with a single
adversary. It also inadvertently may have sealed off some of the city school district's negotiating leverage, however. Competing interests existed among suburban school systems that Columbus could well have taken advantage of. Some districts sought primarily to defend lucrative industrial property (Gahanna-Jefferson, for example); others wanted mainly to protect students and residential development (Dublin); still others hoped to preserve potentially valuable, but still undeveloped territory (Reynoldsburg); and a few were concerned about a combination of all three (Worthington, despite its existing boundary agreement with Columbus). Moreover, a couple of the districts with significant numbers of students at stake had internal conflicts that also possibly could have been exploited. Within the Dublin schools, for instance, bitter class divisions existed between students who lived west of the Scioto, in Dublin proper, and those who lived east of the Scioto in Columbus. By papering over these divisions, the Win-Win negotiating process may have prevented Columbus from following a divide-and-conquer strategy. In addition, it may have eased the suburbs' lingering, historical fear of Columbus by offering negotiators strength in numbers.

168. The superintendents also settled on a third major negotiating issue: the development of countywide educational programs. This branch of the bargaining grew into the Franklin County Education Program and School Services Council. While initially hailed as an innovative opportunity for interdistrict cooperation, the council was never enthusiastically embraced. It has since become a largely forgotten footnote to the more substantive aspects of Win-Win.

169. Thanks to OSU city and regional planning professor Dale Bertsch for providing me with several graduate student papers on the Win-Win process. Particularly helpful were Marcia Caton Campbell, Michael Todd Corwin, and Todd R. Limp, "The Columbus Area Public Schools' 1986 'Win-Win' Agreement: Conflict, Resolution and Future Prospects," no date given; and Furr et al., "The City of Columbus and Its Suburbs Try for 'Win-Win'" (cited n. 143 above).


171. Some exceptions were written into the agreement. Eight districts chose to set aside certain lucrative or potentially valuable parcels of land so that, if annexed to Columbus, they would not be transferred to the Columbus schools.
172. Any revenue increase accrued by inflationary growth or periodic property value reappraisals did not fall under the revenue-sharing formula. For the first few years of Win-Win, the state footed the bill for the suburban districts. The hastily written tax formula became a source of controversy, however, when the state finally phased out its subsidies, forcing suburban systems to begin paying a portion of their tax revenues to the Columbus schools. Disagreement over the size of these annual payments almost shattered the Win-Win Agreement, but a compromise was reached, and the pact was renewed for another six years in 1992.


174. Hyre interview. Also, Hyre noted, Columbus retained the option of initiating territory transfer requests with the state board if Win-Win broke down in the future.

175. Barrow interview; Weiler interview; Richard Fahey interview, February 1, 1994.


177. Letter from Jim Hyre to Amos Lynch, June 10, 1986, Columbus Public School District files; Weiler interview.

178. Viers interview; Gary Holland interview, April 25, 1994.


180. Martha Crossen, Apple Alliance statement at the May 20, 1986 Columbus Board of Education meeting, Columbus Public School District files; Hammond interview; Price, “Million $$$$ ‘Give-Away.’”

Chapter 4


7. The M/I Homes developments were successful, according to several interviewees, but no similar subdivisions followed. McNeill Farms, meanwhile, faced several unexpected obstacles: obstruction from Jefferson Township residents; resistance from reluctant builders; complications from the development’s proximity to Port Columbus Airport; and delays due to problems constructing and extending water and sewer lines. By 1994, said Don Epler, only a few dozen houses had been built. Epler interview; also, *Columbus Dispatch*, *Business First*, *Rocky Fork Enterprise*, and *Daily Reporter* articles.


10. The word Wexley was a play on Bexley, the affluent “inburb” where Wexner and many of the area's wealthiest businesspeople and professionals lived. Irritated by the nickname, the developers quickly christened their proposed community “The Villages at Rocky Fork.” It remains, however, popularly referred to as Wexley. For a more complete description of the Wexley controversy, see Jonas, “Local Interests,” 237–80.

11. More specifically, the city had canceled an unused contract with the Franklin County commissioners to provide services to Plain Township. The cancellation was part of a deal in which Columbus agreed to take control from Franklin County of several small, poorly functioning, environmentally hazardous water-sewer “package plants.”

12. At the time, Columbus was also facing a movement in Washington Township (in northwest Franklin County) to merge with the city of Dublin. If this movement had succeeded, and Wexley had cut off growth toward the northeast as well, it would have virtually eliminated the city's ability to expand along its more developable northern perimeter.


15. City councilman Jerry Hammond versus city councilman Ben Espy, school board member Bill Moss, and others.

16. Fahey interview.


18. Weiler interview.


20. James Kunde interview, January 22, 1994; Gresham interview.


26. Final Report, Citizens’ Committee for Improved Student Assignment, December 10, 1991, 16, 31–32. The committee reported that 10,875 of the district’s 64,000 students (17 percent) were bused “for racial balance purposes.” The rest were bused for health, safety, or distance reasons, alternative schools, special education programs, or other nondesegregation purposes; 41.4 percent of the district’s students walked to school.

27. “Proposed Student Reassignment Plan,” Columbus Public Schools Office of the Superintendent, September 8, 1992. “Racially balanced” was defined as plus or minus 20 percent of the district’s black-nonblack ratio, which, by 1992, was approximately 50–50.


31. Statistics prepared by the Planning Division Research Section of the Columbus Development Department from U.S. Census Bureau Data. In 1990, the city school district contained 94 percent of Columbus’s African American residents and 88 percent of Franklin County’s. The poverty rate figures were 16.5 percent and 6.1 percent, respectively, in 1980. The unemployment figures were 6.6 percent and 4.0 percent, respectively, in 1980.

32. “Growth Statement 1990,” 43. “Central city” is generally considered the area inside Columbus’s 1950 borders. These numbers are similar to rough figures the author compiled using composite state income tax records provided by the Ohio Department of Taxation. Using these records, the author found the average income for a family living within the Columbus school district in 1988 to be approximately $23,000, compared to over $39,000 for the rest of Franklin County. And, according to these estimates, the difference was growing, not shrinking: the average income of a city school district family in 1976 was approximately 20 percent lower than that of a family living in the area of Franklin County not served by the city schools; in 1990, the income disparity had grown to around 38 percent.

34. Massey and Denton, American Apartheid, 218.

35. "Greater Columbus Economic Development Strategy," 68. Portion of this unpublished Columbus Area chamber of commerce study provided to the author by chamber president Jonathan York.

36. The city school district's share of Franklin County's real property value shrank from 51.4 percent in 1980 to 43.5 percent in 1989. In the latter part of the decade, the annual growth rate of residential property value was 4.3 percent in the common areas, but only 0.3 percent in the city school district. In 1989, the common areas covered 79 of the city's 193 square miles. "Columbus City School District Revenue Growth Issues: Property Trends and Tax Abatement," Columbus Development Department Economic Development Division, August 1990, 1-4.


39. Statistics taken from the minutes of the Citizens Committee for Improved Student Assignment; enrollment figure from Calvin Smith, April 10, 1991; territory area figure from Bob Barrow, April 24, 1991; all in Columbus Public School District files.

40. According to the Development Department report, "growth in the taxable value of personal property occurs through new investment in machinery and equipment, furniture and fixtures and other goods. It is an indicator of business investment." Personal property taxable value does not grow through appreciation, but depreciates over time. "Revenue Growth Issues," 6-7, 8.

41. The Wexley controversy in late 1987 initially exacerbated simmering tension between Wolfe and Wexner leadership factions. In doing so, however, it illustrated the paralysis that had resulted from the ongoing rivalry between Columbus's old and new guards. The two sides subsequently declared a truce and agreed to explore ways to begin cooperating on the big issues facing the city. The product of this cooperation was the Wausau conference, a December 1989 business leadership "retreat" at which the city's most influential executives identified education as one of their fundamental priorities.
44. Brown I, 492.