

## Milwaukee School Desegregation Case

Between December 2004 and June 2005 there was an exhibit in the Milwaukee Federal Building and United States Courthouse Atrium containing a variety of exhibits from the Milwaukee School Desegregation Case. Mary Jones, the librarian at the time, was instrumental in putting the display together. The display was recognized by the Eastern District of Wisconsin Bar Association.

Case: *Milwaukee Metropolitan School Desegregation*

### **Timeline – Milwaukee School Desegregation, 1965-1980**

June 17, 1965 – The initial Milwaukee School Desegregation Case, Amos v. Board of School Directors for the City of Milwaukee, was filed by Lloyd Barbee in federal court in Milwaukee on behalf of 41 Milwaukee school children. The case was assigned to the Honorable Robert E. Tehan.

September 17, 1965 – Judge Tehan gave the plaintiffs 90 days to gather evidence.

February 6, 1973 – The case was reassigned to Hon. John W. Reynolds.

September 10, 1973 – A trial by the court began in front of Judge Reynolds and continued through October when it recessed.

January 7, 1974 – The trial resumed and concluded January 31, 1974.

January 6, 1975 – State Representative Dennis J. Conta proposed that the Whitefish Bay and Shorewood School Districts and the areas in Milwaukee served by Lincoln and Riverside High Schools be merged into a new district. Assembly Bill 572; tabled 09/1975

July 1975 – Lee McMurrin was hired as the new Superintendent of Milwaukee Public Schools.

January 19, 1976 – Judge Reynolds ruled in favor of the plaintiffs, finding liability and holding that the segregation which existed in the Milwaukee school system was directly attributable to the defendant's actions and "permanently enjoining defendants from discriminating upon the basis of race..." Judge Reynolds appointed Irvin Charne to assist Lloyd Barbee representing the plaintiffs. Dr. John A. Gronouski of Austin, Texas was appointed as a Special Master to oversee the development and implementation of the plan.

Amos v. Board of School Directors of the City of Milwaukee, **408 F. Supp. 765**

May 3, 1976 – The Wisconsin Legislature passed Chapter 220, Laws of 1975. This act permitted students to transfer between schools and between school districts in the Milwaukee area in order to promote cultural and racial integration in education. 1975 Wis. Stats. 121.85, Assembly Bill 1040, Substitute Amendment 2

May 26, 1976 – The MPS Board attempted to delay implementation of Judge Reynolds’ ruling while it appealed his decision. The motion was denied, and the injunction prohibiting discrimination took effect immediately.

Armstrong v. O’Connell, **416 F. Supp. 1325** (65-C-173)

June 11, 1976 – Judge Reynolds determined the extent of desegregation would be measured by the number of schools having a black student population of between 25% and 45%. He ordered one-third of schools to meet the desegregation goal by September 30, 1976, another third by September 30, 1977, and the final third by September 30, 1978.

Armstrong v. O’Connell, **416 F. Supp. 1344** (65-C-173)

July 23, 1976 – Judge Reynolds’ liability decision of January 19, 1976, was affirmed by the Seventh Circuit Court of Appeals.

Armstrong v. Brennan, **539 F.2d 625** (No. 76-1130)

September 1976 – Court-ordered desegregation of Milwaukee’s public schools began.

September 1976 – Students began transferring to different schools under Chapter 220. During the 1976-77 school year, less than one percent of the City of Milwaukee’s minority student population transferred into suburban schools.

March 17, 1977 – The remedial plan submitted by the MPS Board was rejected, and the Master’s plan, with modifications, was to be put into effect.

Armstrong v. O’Connell, **427 F. Supp. 1377** (65-C-173)

June 29, 1977 – The Seventh Circuit Court of Appeals’ order of July 23, 1976 was vacated by the Supreme Court.

Brennan v. Armstrong, **433 U.S. 672** (No. 76-809)

September 1, 1977 – In light of the Supreme Court decision, the Seventh Circuit Court of Appeals vacated its previous opinion and returned the case to Judge Reynolds.

Armstrong v. O’Connell, **566 F.2d 1175** (No. 77-1367)

January 23, 1978 – The second trial began before Judge Reynolds focusing on the issue of segregative intent.

June 1, 1978 – Judge Reynolds ruled in favor of the plaintiffs, again finding the defendants liable.

Armstrong v. O’Connell, **451 F. Supp. 817** (65-C-173)

February 8, 1979 – Judge Reynolds found that a systemwide remedy was necessary to correct past segregative acts, and the plaintiffs were ordered to prepare a proposed remedial plan.

Armstrong v. O’Connell, **463 F. Supp. 1295** (65-C-173)

March 1, 1979 – The parties submitted a settlement plan to Judge Reynolds.

May 4, 1979 – The settlement plan was approved by Judge Reynolds. Under this plan, 75% of the City’s students would attend desegregated schools. The plan allowed for approximately 20 all-black schools, but prohibited all-white schools. The plan guaranteed all students who chose to do so the right to attend a desegregated school.

Armstrong v. Board of School Directors of the City of Milwaukee,  
**471 F. Supp. 800**

February 19, 1980 – The settlement plan was affirmed by the Seventh Circuit Court of Appeals following an appeal by the NAACP.

Armstrong v. Board of School Directors of the City of Milwaukee, **616 F.2d 305**

**Location: Library of the United States Courts – Milwaukee. Milwaukee Federal Building and United States Courthouse. Room 516.**

Ranney, Joseph A., *Looking Further than the Skin: A History of Wisconsin Civil Rights Law*, WISCONSIN LAWYER (July 1995).

White, Maxine Aldridge and Ranney, Joseph A., *Fighting Segregation “Root and Branch,”* WISCONSIN LAWYER, (April 2004).

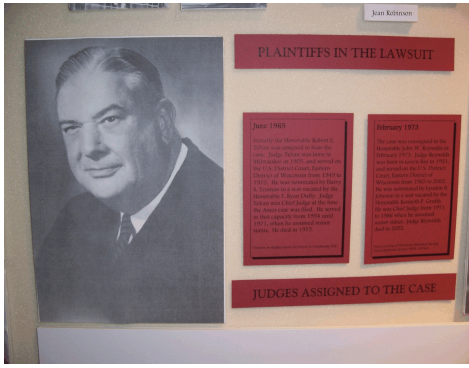
Exhibit - Milwaukee Federal Building and United States Courthouse Atrium  
December 2004 to June 2005



Milwaukee School Desegregation, 1965-1980



Hon. John W. Reynolds



Hon. Robert E. Tehan



Lloyd Barbee's Brief case and Tape Recorder



Textbooks used in Milwaukee schools



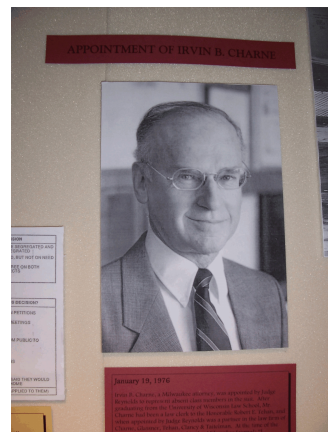
Sketch - Judge Reynolds' Courtroom



Laurence C. Hammond, Jr. and Lee McMurrin



Lloyd Barbee and Laurence C. Hammond, Jr.



Irvin B. Charne

