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# A Good Education for All? Desegregation and Educational Reform in Albany's Schools

Joshua Levine

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# A Good Education for All? Desegregation and Educational Reform in Albany's Schools

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## Abstract

Public and private schools throughout American history have been segregated due to policies crafted and implemented by local school boards. The Supreme Court decision in the *Brown v. Board of Education* case said segregated public schools were inherently flawed and that the idea of separate-but-equal had no place in public education. But how were school boards to integrate the schools? Cities such as Albany had neighborhoods that had a majority black proportion, meaning that the schools within these neighborhoods were going to be segregated. Policies pursued by the Albany School Board of Education did not provide a solution and The Brothers sought to mobilize the members of the South End and Arbor Hill communities to take action for the state of education in the schools. Using documents from the Albany School Board, The Brothers, and looking at local public and private schools, this paper argues that the policies and programs pursued not only by public but private schools as well, inhibited the educational growth of the children and continued the segregation persisting within these schools. Dealing with the racial imbalance, admissions policies, and practices within the schools, the city of Albany had to find ways to deal with the growing problem of segregation. The history of Albany's schools shows the challenges when dealing with segregation in the educational system, and if left alone, these problems would continue into future generations.

## Acknowledgements

Throughout the past year I have received help from many people and places in order to conduct my research. I would like to thank the staff at the M.E. Grenander Department of Special Collections & Archives for helping me find sources about the Milne School and The Brothers. I would also like to thank Brian Keough for talking with me about The Brothers and for sharing his work about them. I would also like to thank the Albany County Hall of Records for providing me with Mayor Corning's papers.

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## Introduction

On January 20, 1966, as Albany's Mayor Erastus Corning was being honored at a testimonial dinner by the pastors of black churches for his 25<sup>th</sup> year in office as mayor, dozens of young black protestors picketed it. They criticized Corning for a lack of physicians in Arbor Hill and the South End, 'for rat-infested streets and roach-infested housing,' for a lack of affordable apartments, for inferior inner-city schools...and for using 'threats and fear tactics to keep Negroes in line and hand out their \$5 bills in the slums for votes on Election Day.'<sup>1</sup> These members in the black community believed it was their time to challenge the Democratic Machine which had been in control of Albany politics since the early 1920s. The protestors fought not only for better living conditions, but also for better schooling.

This protest over the education of Albany's black community echoes concerns throughout the United States that the public schools had been failing black children for a long time, and that change was needed. Change started in the *Brown v. Board of Education of Topeka* case of 1954 in which the Supreme Court decided that children were affected by the inherent inequalities in education. That was a major reason why Chief Justice Earl Warren and the court stated the idea of separate-but-equal, created in the *Plessy v. Ferguson* case in 1896, had no place in public education.

By the mid-1960s, the situation had not improved since the court's decision in the *Brown v. Board of Education* case. The problem of integrating schools was so complex and political that the Supreme court took arguments on how to implement desegregation plans in the *Brown v. Board of Education II* case of 1955. The court stated that schools, mostly in the South, had to

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<sup>1</sup> Paul Grondahl, *Mayor Corning: Albany Icon, Albany Enigma*. (Albany, NY: Washington Park Press, 1997), 513.

desegregate ‘with all deliberate speed’.<sup>2</sup> The decision in *Brown II*, stated that desegregation should occur at the ‘earliest practicable date,’ and that district judges would decide if school boards were acting in ‘good faith’ and a ‘prompt and reasonable start’.<sup>3</sup> In places such as Greensboro, North Carolina, the vagueness of the decision to desegregate schools ‘with all deliberate speed’ led to a division within the school board, causing the schools to not integrate for years afterwards.<sup>4</sup>

The wording put forth by the court, contributed to the problems that arose in Southern States. For example, immediately after the *Brown* decision and the court stating that schools had to desegregate, the school board in Little Rock, Arkansas, sought to comply with the court’s decision, although they were not enthusiastic about desegregation. The board issued a statement in which they expressed their concerns about the planning and the commitment behind desegregation.<sup>5</sup> The board developed the ‘Little Rock Phase Program’, which provided limited integration of only one high school, Little Rock Central, which was to integrate by 1957.<sup>6</sup> Between the court’s decision on *Brown*, and the date of integration beginning on 3 September 1957, the calls for putting a stop to integration became louder. Segregation legislation was passed, which created confusion as to whether or not it was constitutional and if it would affect the desegregation plans. Governor Faubus issued a proclamation stating that “black children would be permitted to enter Central High and whites would not be allowed in black schools.”<sup>7</sup> As is well known, nine black children sought to enter Central High, but were blocked by the

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<sup>2</sup> James T. Patterson, *Brown v. Board of Education: A Civil Rights Milestone and Its Troubled Legacy*. (New York, NY: Oxford University Press, 2001), 84.

<sup>3</sup> Tony Freyer, *The Little Rock Crisis: A Constitutional Interpretation*. (Westport, CT: Greenwood Press. 1984), 9-10.

<sup>4</sup> William H. Chafe, *Civilities and Civil Rights: Greensboro, North Carolina, and the Black Struggle for Freedom*. (New York, NY: Oxford University Press. 1980), 59.

<sup>5</sup> Tony Freyer, *The Little Rock Crisis: A Constitutional Interpretation*. (Westport, CT: Greenwood Press. 1984), 16.

<sup>6</sup> Freyer, *The Little Rock Crisis*. 19.

<sup>7</sup> Ibid. 103.

National Guard upon trying to enter the school. It was not until President Eisenhower's intervention that the nine children, escorted by units of the 101<sup>st</sup> Airborne, were able to enter Central High on September 24.

Although the situation of Albany's schools never escalated to the point of violence and federal intervention, the situation in the North regarding desegregation was similar in many ways to that of Greensboro, Little Rock, and elsewhere in the South. Addressing the racial imbalance in its schools, the Albany school board explored plans similar to the ones that Little Rock had explored a few years earlier.

While much has been written about events in the South during this time, including the Little Rock Crisis and Freedom Rides, the struggle over desegregation were not limited to the South. Some historians have written about Northern cities and the problems that these places experienced, but there has been much less research done on the smaller cities and towns.

My paper examines desegregation and education reform in Albany between *Brown v. Board of Education* in 1954 and the creation of the Department of Education in 1979. My paper seeks to add to the narrative of desegregation and education reform efforts in schools, as it is about a struggle for community control and the wanting of a better situation. This paper argues that the problems of dealing with racial imbalance, the enactment of certain policies in schools, and not being able to drum up community support to affect change within the schools, inhibited the children's opportunities to succeed educationally.

This paper draws on array of sources. It draws from census records to Mayor Corning's papers, to The Brothers' newspaper, *The Albany Liberator*, as well as documents about the Milne School and a book written by a teacher at the Albany Free School. In addition to the primary sources used, the secondary sources provide context to the events happening in New York city,



what private schooling was like, the impact of segregation in schools today and how the inequality in education impacts African-American children. Taken together, these sources show how segregation in Albany's public and private schools affected the education success of the black children living Arbor Hill and South End.

Albany saw an increase in its black population during the mid-twentieth century. African-Americans were coming into a tumultuous situation both politically and educationally, as Mayor Corning and the Democratic Machine sought to keep control of the schools throughout the city. Using New York City as an example of the fight for control of schools, contributes to the understanding of Albany's civil rights organization, The Brothers, and why they fought for community involvement in dealing with the schools. By drumming up community support they believed they could challenge the Democratic Machine and change the situation in the schools. The problems in Albany's schools were not limited exclusively to public schools. Some believed private schools provided their children with a better education, but these schools experienced problems that were different than those plaguing the public schools. Although not a private schools, the Milne School had problems that contributed to the education plight of those in Albany's African-American community. One school that was not experiencing the problems that public and private schools were, was the Albany Free School.

These sections; the city of Albany, community control in New York City, The Brothers, private schools, Milne High School, and the Albany Free School, all have unique histories. Each section in itself could be written in separate papers with their own argument and evidence. But working in conjunction with one another, these sections provide the history of what desegregation and educational reform was like in Albany's schools. The problems of dealing with racial imbalance, the enactment of certain policies in schools, and not being able to drum up

community support to affect change in the schools, inhibited the children's opportunities to succeed educationally.

### **The City of Albany**

Located on the Hudson River about 150 miles north of New York City, Albany is a small city with a population in the 1950s of 134,995 people.<sup>8</sup> Albany never had a large population, with the 1950s population being its largest. As the population of Albany decreased during the 1960s and 1970s, the proportion of its black inhabitants increased. During this three-decade span, from the 1950s to the 1970s, the city's African-American population doubled each decade; from 3 percent in the 1950s, to 6 percent in the 1960s, and to 12 percent in the 1970s.<sup>9</sup> Overall, the non-white population increased from 5,881 people in the 1950s census to 10,972 people in the 1960s census.<sup>10</sup> This change in Albany's African-American population was a result of the migration of blacks throughout the country, known as the Great Migration. During this migration, many blacks moved from the Southern states and into Northern cities in hopes of finding more and better working opportunities. When Southern blacks came to Albany, they settled in the Arbor Hill and South End communities. At the time of arrival of Southern blacks, Arbor Hill had been inhabited predominantly by the Irish then the Polish<sup>11</sup>

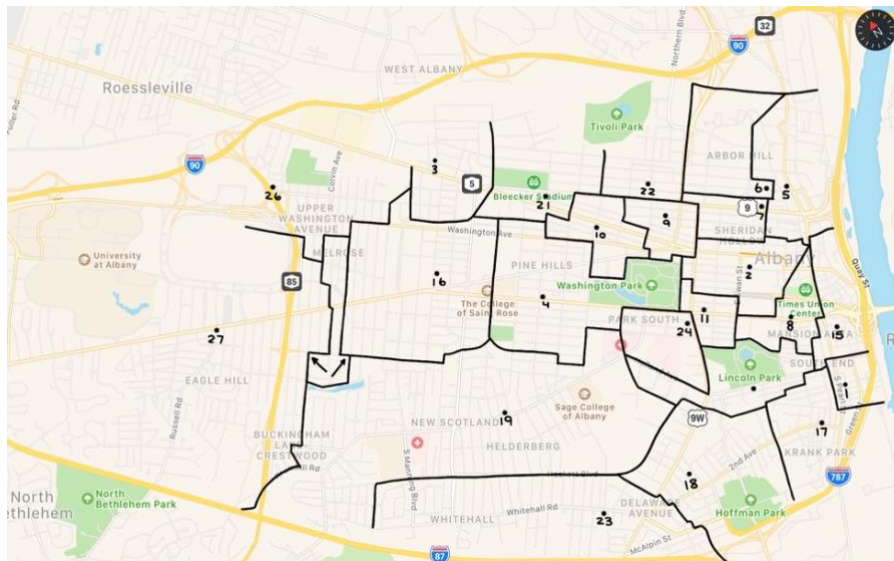
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<sup>8</sup> U.S., Department of Commerce, Bureau of the Census, United States Census of Population 1950, Series PC-2 No. 47 Population of New York, By Counties

<sup>9</sup> John J. McEneny, *Albany: Capital on the Hudson: An Illustrated History*. (Sun Valley California: American Historical Press, 2006). 111.

<sup>10</sup> "Proposed Plans For The Removal of Imbalance in the Public Schools of Albany". Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

<sup>11</sup> John J. McEneny, *Albany: Capital on the Hudson: An Illustrated History*. (Sun Valley California: American Historical Press, 2006). 111.



The map is adapted from the map of *Elementary School Districts Albany, N.Y. April 1949* by Cassidy Griffin, in the author's possession.

This large increase in Albany's black population caused many of these white immigrants to leave the neighborhoods they were inhabiting. This decrease in the white proportion and the increase in the black proportion of these neighborhoods, along with government policy and relocator efforts not only caused the housing to become increasingly segregated, but the schools in these neighborhoods became segregated as well. Schools, especially in Arbor Hill and South End were seeing an increase in their non-white (mainly African-American proportions), and as noted by the Supreme Court in the *Brown* cases, desegregating the schools was to be left up to the local school boards. Albany's school board was controlled by the Democratic Machine.

The Machine was "fashioned by [two families] the O'Connells and Cornings [when they] seized power in Albany in 1921", and had subsequently been elected into office by the white proportion of the populous.<sup>12</sup> The families had become connected when Mayor Corning's father,

<sup>12</sup> Paul Grondahl, *Mayor Corning: Albany Icon, Albany Enigma* (Albany, NY: Washington Park Press, Ltd. 1997) 159.

Edwin became a patron at the O'Connell's saloon, and the O'Connell's introduced the Corning's to cockfighting.<sup>13</sup>

Though fashioned in 1921, the Machine became synonymous with Erastus Corning 2<sup>nd</sup>. Born on October 7, 1909 Erastus Corning 2<sup>nd</sup> lived the majority of his life in the capital district. Continuing a family tradition, Corning entered the Albany Academy prior to his eighth birthday, which he attended for five years.<sup>14</sup> He again followed the family tradition by attending Yale and then entering into Albany politics. He was elected mayor in 1942 and served for forty-one years until 1983 when he died at the age of 74.

There were mixed views about Mayor Corning as he was elected and re-elected into office by white voters, but was not liked by members of the black community. What exacerbated the problems between Corning and the black community was the in migration of blacks to the Arbor Hill and the South End neighborhoods. Not only did the neighborhoods become black, but so did the schools.

During the 1960s, Albany had twenty-seven schools, five of which had a black population of 50 percent or higher. There were two high schools, Albany High and Philip Schuyler and the rest were elementary and junior high schools. Four of these schools; Schools 5, 6, 7, and the Giffen Scschool were located in the Arbor Hill and South End neighborhoods. The other school with a black population of at least 50 percent was School 25.<sup>15</sup> At this time, there were a total of 13,525 pupils in Albany's schools between kindergarten to twelfth grade, of which 3,010 were African-American students, which equated to 22.3 percent of the entire school

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<sup>13</sup> Grondahl, *Mayor Corning*. 161-162.

<sup>14</sup> *Ibid.* 77.

<sup>15</sup> *Percentage Trends in Non-White Pupil Population by Schools*. Corning Papers, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

population.<sup>16</sup> State Education commissioner, Dr. James E. Allen determined that having a school that was racially imbalanced was a problem. This determination was in response to an incident at a Malverne, Long Island elementary school. The incident was that the district as a whole divided it's pupils based on residence rather than grades, which caused one of the elementary schools to have a 70 percent enrollment of black students in the school.<sup>17</sup>

Dr. Allen issued a memo in response to this by ordering school boards, throughout New York State, to devise plans “to overcome predominantly Negro enrollment in any school.”<sup>18</sup> School boards were given ten weeks to propose plans, and all plans had to be submitted by September 1, 1963.<sup>19</sup> In what appeared to be the final draft, the Albany school board, along with Superintendent of Albany’s schools, James W. Park, submitted their “Proposed Plans for the Removal of Imbalance in the Public Schools of Albany” on August 23. Within the plans was a chart of the percentages of non-whites in the public schools.

The chart showed the percentage trends of the non-white population for the last three school years, beginning with the 1960-1961 year. Over the three year span, the four schools in the Arbor Hill and South End communities; Schools 5, 6, 7, and the Giffen School consistently had over 50 percent of non-white children enrolled in the school. The other school, School 25, decreased its enrollment of non-whites from 51.9 percent to 46.7 percent during the 1961-1962 school year, but the following school year, 1962-1963, the percentage of non-whites increased to 63.7 percent.<sup>20</sup>

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<sup>16</sup> *Census of the Negro Population in Public Schools*. Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

<sup>17</sup> *Sate Orders Schools: End Racial Inequality*. Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

<sup>18</sup> *Sate Orders Schools: End Racial Inequality*. Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Percentage Trends in Non-White Pupil Population by Schools*. Corning Papers, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

The plans considered in the “Proposed Plans for the Removal of Imbalance in the Public Schools of Albany” which were aimed at decreasing the racial imbalance in these schools were not unique to Albany. Different school boards throughout the state and the country were implementing the same or similar plans within their own schools. The proposal had three plans: School Boundaries, Open Registration, and Exchange of Pupils.

In the School Boundaries plan, it was the belief of the school board and Superintendent Park that by increasing the boundary lines the children would be transported to different schools, many of which were further away from their homes. This would bring an end to the neighborhood schools that had existed within the current boundary lines. This proposal had an additional plan of enlarging the districts. Similar to increasing the boundary lines, the board and Superintendent Park hoped that the children in the areas where the district was enlarged would go to different schools and not cluster in the few that were in the district prior to enlarging it.<sup>21</sup>

Just as they believed children would go to a school further away from their homes in the School Boundaries plan, the board and Superintendent Park believed that with Open registration, both white and non-white parents would be willing to transfer their children to a different school. The school that the children would be transferred to would be further away from their homes, and possibly outside of the boundary lines and district.<sup>22</sup>

Similar to Open Registration, the Exchange of Pupils plan focused on moving whites and non-whites in opposite directions. For the board, this plan proved useless because they doubted “that parents of white children or non-white children would accept such a situation, and a move would be contrary to [the] present concept of the neighborhood school.”<sup>23</sup>

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<sup>21</sup> “Proposed Plans For The Removal of Imbalance in the Public Schools of Albany”. Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

<sup>22</sup> “Proposed Plans”. Box 11 Folder 2/3/15

<sup>23</sup> Ibid.

In the proposal, the board and Superintendent Park stated their reservations. For Open Registration, they believed that it would not be a solution “since the election by some parents of non-white children to send their children to distant elementary schools would reduce the enrollment but not substantially change the percentage.”<sup>24</sup> The reservation in the Exchange of Pupils plan was the reason why the board and Superintendent Park would not implement the plans. They believed the parents, both white and non-white would allow them to implement these plans. They surmised that the only way for racial imbalance to be resolved was when low income housing was provided through different urban renewal plans. These urban renewal plans focused on building new houses, but the new houses that were built by were mostly segregated public houses.

Another plan that was explored by Albany, and implemented in different cities was busing. In December 1963, Superintendent Park and the Director in the Bureau of Child Accounting and Guidance, Mr. Bray, explored the possibility of busing in the Albany Pine Bush area which is located about 7 miles west of Milne High School. Based upon the school census, there were sixteen families that had school aged children in this area. Most sent them to School No. 27, which for some was 4.3 miles away, Hackett, and Livingston, while others attended the Girls Academy, Vincentian, St. Margaret Mary’s, Our Lady of Angels , and Christ the King of Guilderland.<sup>25</sup>

In his assessment of the busing situation for Pine Bush, Superintendent Park noted the problems that Syracuse encountered when trying to implement its busing plan. In order for students to be bused to school, they had to live 1.5 miles or more away from the school and the

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<sup>24</sup> Ibid.

<sup>25</sup> “Letter from John W. Park to Mayor Corning December 18, 1963”. Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

problem the city encountered was with parents who did not send their children to public schools. These parents wanted the city to provide busing for their children who also lived 1.5 miles or more away from their school. It was determined by the Commissioner that the only determining factor for a child to be bused was the distance away from the school. Syracuse withdrew the plan as it became increasingly contested.<sup>26</sup>

In agreement with Park's assessment, Mayor Corning believed that if a busing plan were to be implemented it would have to be for everyone based upon the distance from the schools, but he saw no reason as to why there should be busing for sixteen families, and decided that until the Pine Bush area further developed, that a busing plan would not be conducted at that time.<sup>27</sup> It was estimated that the Pine Bush would develop within a few years, and when it did, busing could be revisited because Corning and Park would have a better understanding of the budget for that school year.

As the September 1 deadline set by Commissioner Allen was approaching, Superintendent Park sent a letter to Mayor Corning that described a program that was proven to be effective, and previously implemented at School 6; one of the racially imbalanced schools located in Arbor Hill. Project Able was being implemented at another racially imbalanced school, the Giffen School. Project Able was not included in the "Proposed Plans for the Removal of Imbalance in the Public Schools of Albany" because it did not address the problems of removing imbalance within the schools. Rather "schools with the same problems [as Giffen] ... are being provided with these additional services wherever possible."<sup>28</sup> This plan focused on

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<sup>26</sup> "Letter from John W. Park to Mayor Corning December 18, 1963." Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

<sup>27</sup> "Letter from Mayor Corning to John W. Park December 20, 1963." Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of Records, Albany, NY.

<sup>28</sup> "Letter from John W. Park to Mayor Corning November 21, 1963." Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of records, Albany, NY.



providing students in schools similar to School 6 and Giffen, with services that could improve their educational success. These services included a full time librarian, teachers that could help advance the reading skills of the children, and guidance personnel.<sup>29</sup>

In Superintendent Park's view, Project Able was a success because it was expanding into the schools where the services were needed. The program was expanding into schools throughout the city, mainly those that were imbalanced. This program provided an alternative answer to integrating the schools as integration was a politically difficult task to complete.

The 1960s saw changes in Albany's demographics as the black population increased with people migrating into the city. In turn, this caused some of Albany's schools to become racially imbalanced. In compliance with Commissioner Allen's memo, Albany's school board and superintendent explored different plans with the aim to decrease the racial imbalance in five of the twenty-seven schools. They believed that parents, both black and white, would not allow for the plans to be implemented and it was that reason they did not put the plans into place.

Additionally, busing was explored as another option, but this too failed, this time by Superintendent Park and Mayor Corning. What did not fail was a program aimed at increasing educational services in certain schools, Project Able. This program was expanding into these racially imbalanced schools, beginning in School 6 and then the Giffen School. It is unclear as to when this program was first implemented, as well as the response by the parents who sent their children to these schools. Parental response and action played a role in the fight for community involvement in schools, and one place where this was happening was in the Ocean Hill-Brownsville community in New York City.

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<sup>29</sup> "Letter from John W. Park to Mayor Corning November 21, 1963." Corning Papers 1963, Box 11 Folder 2/3/15, Albany County Hall of records, Albany, NY.

### **Fight For Community Education in New York City**

In order to better understand the problems with racial imbalance in Albany's schools, and why The Brothers were founded and the work they did, exploring the issues in a different city could help shed light onto the problems in Albany. The Brothers reported on the events occurring in New York City and they took the basic argument from those involved in the events. The argument that was causing problems in the Ocean Hill-Brownsville neighborhood was that parents and community members wanted community involvement and control over the teachers and curriculum in their schools. This argument was adapted by The Brothers who also sought community involvement when trying to impact changes in Albany's schools.

After the conclusion of World War II, New York City was changing from a "blue-collar working-class city... [to] a white-collar, middle-class city."<sup>30</sup> Like Albany, New York City saw an influx in its African-American population, with this population tripling between 1940 and 1968. Many settled into Brooklyn's Ocean Hill-Brownsville neighborhood causing Brooklyn's African-American population to increase sixfold.<sup>31</sup> As the African-Americans moved in, whites in this neighborhood moved out, causing problems similar to the Arbor Hill and South End neighborhoods. The schools became segregated, the houses were not being properly maintained, and Ocean Hill-Brownsville became one of the poorest neighborhoods in New York City.

Being one of the poorest neighborhoods in New York City not only meant that the economic status of its inhabitants was bad, but so too were the schools. In the local school, Junior High School 271 (JHS 271), boasted some of the lowest reading and math scores throughout the city, meaning that the children of this neighborhood, they were not being

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<sup>30</sup> Jerald E. Podair, *The Strike That Changed New York: Blacks, Whites, and The Ocean Hill-Brownsville Crisis* (New Haven, CT: Yale University, 2002). 26.

<sup>31</sup> Podair, *The Strike That Changed New York*. 36.

prepared academically.<sup>32</sup> Again, this situation was similar to the schooling in Albany, and contributed to the belief that without a good and proper education, the children would end up in the same plight their families were currently in.

The New York City Board of Education was tasked with fixing the educational problems in Ocean Hill-Brownsville. They proposed multiple plans, many of which focused on having children attend schools that were not close to their homes. The proposed plans would affect schools in the Ocean Hill-Brownsville neighborhood as well as other underperforming schools, many of which were elementary and middle schools. Like Albany's proposed plans, the New York City's board explored open enrollment, focusing on having African-American students voluntarily move from overcrowded black schools and into white schools that had space. The Parents of the black students would not go for this plan, as they wanted the board to focus more on implementing plans that improved the local schools.<sup>33</sup>

Not listening to the parents, the board proposed a plan similar to open enrollment. Known as the "Free-Choice Transfer" plan, any black student could transfer to a majority white school that had space, and also included a proposal to pair adjoining black and white schools.<sup>34</sup> Again, parents would not entertain this plan as they did not want to send their children to schools further away, and wanted the board to focus on the schools within the neighborhood. Other plans were proposed either by the board or by the teachers union, United Federation of Teachers (UFT). These plans included redistricting the school districts and the More Effective Schools (MES) plan, proposed by the UFT. The UFT believed that the MES plan would bring the lackluster performing schools, JHS 271 for example, up to the same level as the white schools. This was to

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<sup>32</sup> Ibid. 43.

<sup>33</sup> Ibid. 52.

<sup>34</sup> Ibid. 53-54.

be done by reducing class sizes, reading specialists, extended class hours, and having multiple teachers in each class.<sup>35</sup> This plan had similar aspects to the Project Able program that was implemented in some of Albany's schools.

To the parents of the children where these plans were trying to be implemented, they believed they should be the ones who determined how their children were educated. These parents believed the plans being proposed, including MES continued the theory of the culture of poverty. The term culture of poverty was first coined by anthropologist Oscar Lewis who said that:

The culture of poverty is both an adaptation and a reaction of the poor to their marginal position in a class-stratified, highly individuated, capitalistic society. It represents an effort to cope with feelings of hopelessness and despair that develop from the realization of the improbability of achieving success in terms of the values and goals of the larger society.<sup>36</sup>

Using the culture of poverty theory as an explanation for the different plans proposed, it was believed that in order to improve black achievement in schools, one first had to change the culture in which the black children live.<sup>37</sup> Believing they should be the ones who determined their children's education, the parents and especially those in Ocean Hill-Brownsville neighborhood needed a symbol which people in the community could rally behind. That symbol was the white teachers.

The parents saw the white teachers as the ones who were not educating their youth. When white community members left, it was believed by some that the good teachers also left. Those who were in favor of community-controlled schools believed that the first step towards providing

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<sup>35</sup> Ibid. 104.

<sup>36</sup> Oscar Lewis, 'The Culture of Poverty', in *On Understanding Poverty: Perspectives From the Social Sciences*, ed. Daniel P. Moynihan (New York: Basic Books, Inc., 1968), 188.

<sup>37</sup> Jerald E. Podair, *The Strike That Changed New York: Blacks, Whites, and The Ocean Hill-Brownsville Crisis* (New Haven, CT: Yale University, 2002). 105.

better education for their youth, was to get rid of the white teachers and administrators at JHS 271. The termination letters issued to the teachers and administrators, by the newly formed independent school board, created a series of chain reactions that lead to the teachers striking at the beginning of the 1968 school year.

In order for there to be a strike, the UFT had to conduct a vote. The vote resulted in 12,021 in favor of striking and 1,716 against striking. Because the vote was heavily in favor of a strike, the UFT and its teachers conducted their strike, lasting from September 9 to September 11, after which the teachers returned to their schools.<sup>38</sup> This was not the end, as the following year the New York State Legislature acquiesced to the parents and gave them community-control of elementary and middle schools, but not over high schools.<sup>39</sup> Many of the elementary and middle schools were close to the neighborhoods where the children lived, which meant that the schools could be controlled by the community. As for high school, students would have to travel outside of their communities.

The actions of the parents in Ocean Hill-Brownsville impacted how Albany's civil rights organization would go about fighting the Machine. The Brothers looked at the situation that was transpiring in New York City, saw that change was possible, and tried to apply community involvement to Albany's political situation. The Brothers believed that the "racial bigotry that took place in the school dispute at OCEANHILL BROWNVILLE must not be allowed to raise its head in ALBANY."<sup>40</sup>

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<sup>38</sup> Ibid. 199-201.

<sup>39</sup> James Traub, "A Lesson in Unintended Consequences" *The New York Times*, October 6, 2002, <https://www.nytimes.com/2002/10/06/magazine/a-lesson-in-unintended-consequences.html> (accessed December 4, 2018).

<sup>40</sup> "OCEANHILL-BOWNVILLE RERUN??" *The Albany Liberator* November 1970.

## The Brothers

During the Civil rights Movement, numerous groups including but not limited to, the National Association for the Advancement of Colored People (NAACP), the Student Nonviolent Coordinating Committee (SNCC), and the Southern Christian Leadership Conference (SCLC) sought to bring about equality for the African-American community. These organizations focused on the problems in the South and nationally. In Albany, an organization formed in 1966 that focused its attention to the black community living in Arbor Hill and South End. With the rise of the militant organization, The Black Panthers, some in Albany's media and community dubbed the new organization as being a militant organization. This was not the case, as The Brothers, spearheaded by George Bunch, Leon Van Dyke, Earl Thorpe, and led by Sam McDowell, never incited armed protesting.

Those that helped found The Brothers all hailed from Arbor Hill and South End, and recruited within these neighborhoods. Never a large organization, The Brothers had as many as 75 active members, including women and a core group of 15 black men.<sup>41</sup> Much of their efforts towards affecting change centered around the conditions of these neighborhoods, housing and garbage removal, employment, and education with many of these problems stemming from the control of the Machine. When African-Americans came to Albany and settled in Arbor Hill and South End, the white inhabitants left and moved to other areas in Albany, or in the surrounding towns. Even though the whites moved out of these communities, they were the landlords of the properties that the African-Americans were moving into. They could get away with not keeping

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<sup>41</sup> Paul Grondahl, "Revisiting '60s black militants The Brothers with two of them," *Times Union*, October 28, 2014, <https://www.timesunion.com/local/article/Revisiting-60s-black-militants-The-Brothers-with-5854255.php#photo-7065697> (accessed February 27, 2019).

the houses in pristine conditions and the Machine would look the other way as these white landlords were the ones voting them in and keeping them in office. Sometimes they would refuse to let African-Americans live in certain places. In one instance, a lady was refused housing in the Ezra Prentice Homes on South Pearl Street for a misdemeanor that occurred three years prior.<sup>42</sup>

Trying to incite changes by drumming up support and increasing its membership, The Brothers surmised that the best way to reach people would be through the distribution of a newspaper. This was the most logical choice as according to research by the Pew Research Group, it is estimated that the distribution of weekday newspapers was 55,072,000 in 1954 and 62,223,000 in 1979.<sup>43</sup> When it first appeared in 1967, *The Albany Liberator* was distributed on a weekly basis but over its four years of publication, from 1967 to 1971, the newspaper shifted to being distributed on a biweekly and then monthly basis.<sup>44</sup>

Wanting to have informed readers, The Brothers reported on events that were happening throughout the country as well as those happening in Albany through their newspaper *The Albany Liberator*, or *The Liberator* as it was known. In its very first publication, *The Liberator* featured an article commenting on the war on poverty in Harlem. In it, it told the story of Leonard DeChamps who set up a group called Concerned Youth in order to run a summer program, as well as the end of the boycott of P.S. 125 in which parents sought community involvement in the school's program as well as being able to voice their opinions during the principal selection process.<sup>45</sup> A year after this article was written, in 1967, the New York City teachers strike occurred. Articles such as this as well as future articles that appeared in *The*

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<sup>42</sup> "Housing Attitude" *The Albany Liberator* vol. 1 no. 2, July 7-13, 1967. 2.

<sup>43</sup> "Newspaper Fact Sheets" <https://www.journalism.org/fact-sheet/newspapers/>

<sup>44</sup> Paige McInnis, "The Northern Civil rights Movement: How The Brothers Fought Housing, Employment, and Education Discrimination and Police Brutality in Albany, NY" (Honors Thesis, Union College, 2018). 42.

<sup>45</sup> "War Against Poverty Losing n Harlem Ghetto" *The Albany Liberator* vol. 1 no. 1, June 16 1967.

*Liberator* brought to attention the problems that African-American children were having in schools throughout the country, and highlighted the problems that were occurring in both Albany's public and private schools.

At the time, it was believed amongst some in the black community that their children were being taught a history that did not go in-depth about the history of African-Americans. An article appeared that discussed the necessity of educating black students about their heritage. The article stated that when “the real story of the black people in America [are] taught in the public schools, they are against you” and that when this story is taught outside of public schools, “they accuse you of teaching ‘white hatred.’”<sup>46</sup> If people in the late 1960s believed that their heritage was not being taught, this was confirmed in the 1980s. Felix Boateng conducted research that came to the conclusion that public schools in many urban areas were teaching a curriculum that devalued the African-American heritage. He made references to the differences when it came to the type of speech that children employed. If a French child said “se man” instead of “the man” it was accepted because of the accent of the child. But if a black child said “da man” it was deemed as a substandard version of English.<sup>47</sup>

The lack of education in schools about the heritage of African-Americans was not the only news being reported in *The Liberator* about the schools. In one publication, The Brothers brought to light the problems occurring in Philip Livingston Junior High, which at the time had a student population of about 800 students, with half of them being black.<sup>48</sup> In February 1968, The Brothers reported of a girl who was beaten in the school. It was unclear who beat the girl, but

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<sup>46</sup> “Prudence Crandall – Education for All” *The Albany Liberator* vol. 1 no. 19, December 22, 1967 – January 11, 1968.

<sup>47</sup> Kofi Lomotey, ed., *Going to School: The African-American Experience* (Albany, NY: State University of New York Press. 1990). 73.

<sup>48</sup> “Boycott At Livingston Follows Hicks Beating” *The Albany Liberator* October 1968.



The Brothers felt that this warranted an investigation, and began working with “Negro ministers in preparing a plan of action.”<sup>49</sup> It did not appear that an investigation ever materialized because there was no mention of the investigation in subsequent publications of *The Liberator*.

A few months later, in October 1968, The Brothers reported of another beating at Philip Livingston Junior High. This time, the beating received more coverage, was more serious, and had more consequences than the girl who was beaten months prior. One October 22, 15 year old Barry Hicks was punched by a gym teacher, and suffered a broken jaw. Hicks was hospitalized as a result of the incident. What ensued was a multiple day boycott of Livingston Junior High school in which 255 students were absent from school on the last day.<sup>50</sup> It was the school’s turn to conduct an investigation. Rather than conducting their own, The Brothers, as well as The Black Panthers wanted another investigation by Dr. James Allen that included participation from members of the black community.<sup>51</sup>

With about half of the student body of Livingston being from the black community, and with the Barry Hicks’ beating fresh in the minds of these community members, The Brothers printed an article that focused the educational problems that the children were facing within Livingston Junior High. This article was part of a series of articles The Brothers were writing in their education series. This specific article is just one example of why The Brothers were considered a militant organization. The article did not focus on the education that was provided to the children, but rather focused on the culture that existed within the school. They called for community action saying that “when students don’t want to go school and when teachers attack 15 year old boys, then something is sick. Something needs changing.”<sup>52</sup> There were also lines

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<sup>49</sup> “School Beatings” *The Albany Liberator* February 29, 1968.

<sup>50</sup> “Boycott At Livingston Follows Hicks Beating” *The Albany Liberator* October 1968.

<sup>51</sup> “Boycott At Livingston Follows Hicks Beating” *The Albany Liberator* October 1968.

<sup>52</sup> “Education at Livingston” *The Albany Liberator* October 1968.

stating that “parents and the community must recognize their responsibility” and that the “children are not getting an education...[and] it’s time we put a stop to this once and for all.”<sup>53</sup>

The beatings that occurred at Philip Livingston were unique to this school, but other schools had different issues that caused outrage amongst parents. In the fall of 1970, the Giffen School was looking to implement a new program that was different than Project Able which the school was implementing in the mid-1960s according to Superintendent Park. The new program was “designed to ‘provide instructional services tailored to the characteristics of the children determined by neurological and psychological testing to be either educable retarded, brain injured, emotionally disturbed or hyperactive.’”<sup>54</sup> For The Brothers, this test was a way for the Giffen School to move the black children out of the school, and put them somewhere they would not have access to a good education. This thinking was in line with their comments after the Hicks’ beating in which they called for a change in education.

The parents of these children took exception to the program. They argued they were not informed that Giffen was administering these tests. The first time that parents found out about this new policy was when they received letters that stated their children would not be sent to the Giffen School, but rather be sent to School 26.<sup>55</sup> Wanting an explanation as to why their children were being transferred to School 26, officials told the parents the tests had been administered to determine whether the child had any brain damage. With much confusion surrounding the administration of the tests, and not getting the answers they desired, twenty-six students were transferred from the Giffen School to School 26, with three of the students being white.<sup>56</sup>

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<sup>53</sup> “Education at Livingston” *The Albany Liberator* October 1968.

<sup>54</sup> “Giffen school program angers black Parents: Program smacks of teachers planned racism” *The Albany Liberator* October 25 1970. 4.

<sup>55</sup> “Giffen school program angers black Parents” October 25 1970. 4.

<sup>56</sup> *Ibid.* 4.

Throughout the publication of *The Liberator*, The Brothers brought awareness to the problems occurring in the schools, such as the new program being implemented at Giffen. In one of their final publications of *The Liberator*, The Brothers made a final attempt of trying to mobilize people of the black community to take action and change the state of education. The article “Citizen Convention for an Elected School Board” began with a story of an interaction between a young black man and an older man. The two went to different high schools, Philip Schuyler and Albany High, but their interaction shows that the high schools were the same in that both schools provided the black students with poor education.<sup>57</sup>

The Citizen’s Convention was another way The Brothers sought to get the community involved, although this group was not viewed in high regards by the Machine and Mayor Corning, who saw the group as supporting children who have not been well educated. Believing and advocating for this group, The Brothers saw this as a sign of hope because this group was forcing people in Albany to answer questions regarding education in the city. Though focusing much of their attention on the problems in public schools, The Brothers did not turn a blind eye to the problems that persisted in the private schools, namely St. Joseph’s Academy, which was controlled by the Catholic diocese.

### **Parochial Catholic Schools (Private Schools)**

Parish schools were spreading throughout the country, and by the late 1940s, there were a little more than two million students across the country enrolled in Catholic elementary and secondary schools, and by the end of the 1950s that number had risen to more than 4.2 million.<sup>58</sup>

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<sup>57</sup> “Citizen Convention for an Elected School Board” *The Albany Liberator* vol. III no. 8-9 July – August 1971.

<sup>58</sup> Timothy Walch, *Parish School: American Catholic Parochial Education From Colonial Times to the Present*. (New York: Crossroad Pub. Co., 1996). 170.

Albany has had a rich history of parochial Catholic schools. In the 1950s and 1960s, Albany had five parochial schools: Academy of the Holy Names (1884), Blessed Sacrament School (1916), Christian Brothers Academy (1859), St. Catherine of Siena School (1954) renamed Mater Christi School in 2010, and St. Joseph's Academy (1906).

The number of students attending parochial Catholic schools were increasing in the city, The Brothers, turned their attention to St. Joseph's Academy. Prior to its closing in 1966,<sup>59</sup> St. Joseph's Academy had a diverse and a fairly balanced student body. St. Joseph's had a total student body of 295 people, of whom 177 were white students and 118 were black students.<sup>60</sup>

Being a parochial school part of the Catholic diocese, it would make sense that the majority of the students would be Catholic. Among the black students, this was not the case. Of the 118 black students, 32 children were Catholic and 86 were Protestant.<sup>61</sup> For The Brothers, this presented a dilemma. The problem lay not with the fact that there was a large Protestant population within St. Joseph's Academy and the possibility that the school was taking away the children's religious freedom, because they were enrolled in a Catholic school, but rather the effect this was having on the public schools that surrounded the academy. Their complaint was that St. Joseph's and the other parochial schools were taking funds that were supposed to be going to the public schools.

There are multiple reasons as to why public school funds were being taken and given to these parochial schools. For The Brothers, the reason they surmised as to why public funds were being taken and given to these schools and why Protestant parents felt the need to send their children to these schools was because of the influence of Roman Catholics in Albany's politics.

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<sup>59</sup> "St. Joseph's Academy" *Ten Broeck Triangle*. <https://tenbroecktriangle.org/swan-street-revitalization/st-josephs-academy/>.

<sup>60</sup> "The Affirming Community" *The Albany Liberator* Special Issue-Undated.

<sup>61</sup> "The Affirming Community" *The Albany Liberator* Special Issue-Undated.

Those in positions of power within the public school administration as well as many of the teachers were Catholics, and it was the Catholic parents who formed a voting bloc which influenced where the money went.<sup>62</sup> Because Catholics represented a large voting bloc, the Machine listened to their constituents in order to stay in power. They did this by keeping property taxes low, and if someone were to challenge them, they would conduct a reassessment of the home, causing them to raise the property tax. This was happening before there was state aid.

Although funds were being redirected from public to the private schools, St. Joseph's believed that it contributed to the Arbor Hill community a gift in the form of \$80,660.<sup>63</sup> Where did this money come from? If The Brothers were voicing their concern and opinion about how funds were being redirected away from the public schools, and this redirection was affecting the quality of the public schools, why would St. Joseph's believe that they are contributing to the community? For The Brothers, "the REAL" contribution to the community was not the money given, but was the educational opportunity taken away for children in the destroyed public school system.<sup>64</sup>

### **The Milne School**

Founded as a place to help train student teachers for careers in education, the Milne School was located on the University at Albany's downtown campus. The school was situated about 1.5 miles away from Arbor Hill and about 2 miles away from South End, and was funded by the State University of New York (SUNY) system. Being further away from the Arbor Hill

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<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

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and the South End neighborhoods, the families living in these neighborhoods had other schools to send their children to that were closer than Milne. This resulted in an imbalance of a majority white student body population. This imbalance did not affect the education of the children, and in fact, Milne prospered during the 1950s and 1960s in part to its principal, Theodore H. Fossieck.

Fossieck first joined Milne in 1947 as the Director of Guidance and Assistant Professor of Education in guidance.<sup>65</sup> He was well liked amongst the faculty who petitioned to have Fossieck become the new principal, which was vacated a year after his arrival.<sup>66</sup> Fossieck served as principal from 1947 to his retirement in 1972. During that time, he saw nearly 2,000 students pass through the school, most of whom were from middle and working class families.<sup>67</sup>

The era of Fossieck was the golden age for Milne, as the school “developed and maintained a reputation for excellence for both the secondary school students attending it and the College students who used its facilities,” Milne became “synonymous with quality education for teachers and administrators”.<sup>68</sup> The golden age came to an end amid economic discussions in the 1970s by SUNY when determining the necessity of the student teaching program at Milne. Milne High School closed its doors in 1977, and the time between Fossieck’s retirement in 1972 and its closure, the school went through five principals. The last five years of the school’s existence accentuated the prior stability that was in the school during Fossieck’s tenure as principal.

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<sup>65</sup> Milne High School Hall of Fame. <https://www.albany.edu/~milne/HallOfFame.shtml>

<sup>66</sup> Christine Hanson McKnight, *An Innovator As Milne School Principal, Theodore Fossieck Continues to Work on Behalf of Albany*. File held by History Department, University at Albany.

<sup>67</sup> Christine Hanson McKnight, *An Innovator As Milne School Principal, Theodore Fossieck Continues to Work on Behalf of Albany*. File held by History Department, University at Albany.

<sup>68</sup> *Biographical Information: Theodore H. Fossieck*. File held by History Department, University at Albany.

Although Milne thrived and experienced its golden age during Fossieck's tenure, the school had its share of problems. During the late 1950s Milne experienced turnover with the faculty resulting from the salary that the school was able to provide to them. Being funded by SUNY, Milne was not able to compete with regular New York State schools. The starting salary as reported in the 1956-1957 Annual Report was \$4700, and the school had "found it increasingly difficult to attract to the staff person with professional training beyond the Master's degree and even three years of teaching experience."<sup>69</sup> Although experiencing difficulties attracting new teachers and having problems retaining some of its current faculty, the student body remained the same, and the number of applications for entrance into the seventh grade were increasing.

During this time, Milne accepted 72 students into the seventh grade.<sup>70</sup> The admissions process in the 1950s and 1960 according to Fossieck was that students were admitted in the order in which they applied.<sup>71</sup> Of the students who applied, many remained in the school with "approximately 85% of the students initially admitted remain in Milne through graduation."<sup>72</sup> With the admissions policy being a first come first serve policy, acceptance into the school became highly competitive. This competitiveness caused the policy to shift, with acceptance being given to the siblings of students already attending the school.<sup>73</sup>

Having an unofficial admissions policy of admitting the siblings of current students as well as having a majority white student population, Milne created an environment in which the

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<sup>69</sup> *Annual Report, Part 1 for 1956-57*. Box 2, Folder 28, The Milne School Records, 1890-2004, M.E.

Grenander Department of Special Collections and Archives, University Libraries, University at Albany, State University of New York

<sup>70</sup> *Annual Report, Part 1 for 1956-57* Box 2, Folder 28, The Milne School Records.

<sup>71</sup> "Only Milne School 'Protest' Won By Black Girl in 1960s," *Schenectady Gazette*, September 22, 1984.

<sup>72</sup> "Letter from Theodore Fossieck to Senator Walter B. Langley, May 16, 1972." Box 4, Folder Admissions 1972, The Milne School Records, 1890-2004, M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, State University of New York

<sup>73</sup> "Only Milne School 'Protest' Won By Black Girl in 1960s," *Schenectady Gazette*, September 22, 1984.

school could be sued. Looking at the Milne School yearbooks, *Brick and Ivy*, it is easy to notice the lack of diversity within the school. In many of the class photos, there are few black students. With little diversity amongst its student body, Milne could be sued for discrimination. This happened in the early 1960s when Sharon Smith, a black girl, applied to Milne but her application was rejected. Her parents sued the school because the unofficial policy of accepting the siblings of students enrolled in the school was seen as discriminatory against people new to Albany, specifically African-Americans who were moving into the city at this time.<sup>74</sup> The admissions policies were perceived as discriminatory because the families moving into the city at this time had not established themselves within the Albany community and had not forged the necessary relationships to get their children into Milne.

The lawsuit made its way to the New York State Commission on Human Rights, which ruled in Smith's favor. The ruling had a twofold effect. The first effect it had was that Sharon Smith was allowed to enroll in Milne, attending only for a year, and the second, was that the lawsuit prompted changes to Milne's admissions policy. After this incident, Milne actively recruited black students and by the time Fossieck retired in 1972, Milne's black proportion of its student body was about 5 percent.<sup>75</sup>

Milne changed its admissions policies for admission into the seventh grade as well as for the vacancies in the upper grades, eighth to twelfth. For admissions into the seventh grade as well as the upper grades, there were two main criteria for entrance into Milne; placing in the upper two-thirds of national high school population on a scholastic aptitude test, and completing

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<sup>74</sup> Ibid.

<sup>75</sup> Ibid.



the grade they were presently in within an accredited school.<sup>76</sup> Additional criteria included regular attendance, adaptability because students would experience numerous teachers during the school year, and self-determination.<sup>77</sup> Although stated in the admissions policy that no priority would be given based on race, color, creed, political affiliation, siblings enrolled in the school, alumni affiliation, parental connections, and recommendations, the administration of a scholastic aptitude test could be seen as problematic.<sup>78</sup>

The aptitude tests were administered to the student population throughout the country. The scoring for the test included those who were educated as well as those who were not. This was significant because the test could be slanted towards the students of the white community, by asking questions that were specific to them. If the questions asked were geared more to the white population than the student population as a whole, the African-American students taking the test were most likely not going to score high on the exam. This affected Milne's admissions policy of scoring within the top two-thirds nationally, as for the most part, the students who were more likely to score high on the test were the white students. Those who scored in the lower-third of the national high school population saw their application removed from consideration.<sup>79</sup>

Even with the change to its admission policy, the possibility that the tests were slanted more towards the white population and its location contributed to the lack of diversity amongst its student body. For parents living in Arbor Hill and South End, there were elementary schools that were closer to their homes. Also at this time, Albany had two high schools: Albany High

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<sup>76</sup> *Campus School Admissions Policy* Box 4, Folder 16 Admissions Policy Campus School, The Milne School Records, 1890-2004, M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, State University of New York.

<sup>77</sup> *Campus School Admissions Policy* Box 4, Folder 16 Admissions Policy Campus School, The Milne School Records

<sup>78</sup> *Ibid.*

<sup>79</sup> *Ibid.*

School and Philip Schuyler High School. Albany High school was located closer to the University at Albany's downtown campus, close to the Milne School. Philip Schuyler was located in South End.<sup>80</sup> Because of its location, Philip Schuyler was easier and more convenient for those living in South End to get to. The schools merged in 1974, three years prior to the closure of the Milne School, creating Albany High School, with the school presiding at its current location, in between the uptown and downtown campuses of the University at Albany.

The history of the Milne School is important to understanding the continuation of segregation within Albany's schools during the mid-twentieth century. Though funded by SUNY, it employed policies that were seen as discriminatory towards people coming to Albany during the 1950s and 1960s, namely African-Americans. Although these policies changed, the administration of an aptitude test could be seen as discriminatory based off of the questions that were asked on the examination. Additionally, the location of the school made it difficult for students from Arbor Hill and South End to attend as the students would have to travel past schools located within their neighborhoods, be they elementary and middle schools, or Philip Schuyler High School, which children from South End attended. With everything that happened during Fossieck's tenure as principal, was this actually the golden age of the Milne School?

### **The Albany Free School**

Located in an old parochial school building situated in the South End, the Albany Free School was founded by Mary Leue as a way for her to teach her son who had become miserable

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<sup>80</sup> Carl Johnson, "Philip Schuyler High School – It's Temporary," <http://hoxsie.org/2018/06/19/philip-schuyler-high-school-its-temporary/>

in one of the better public schools in Albany.<sup>81</sup> The location of the school is important. When the school first started, Leue rented space from a church that was moving to a larger space. After that first year, and as the school expanded, Leue searched for a new building, one that was larger and could become the permanent residence for the school. The parochial school building that the school is still housed in today, was sold to Leue by an Italian American war veterans group that was looking to leave the South End neighborhood amidst the influx of black and Hispanic newcomers.<sup>82</sup>

At the time of its founding, homeschooling was illegal, and those who tried to pursue homeschooling for their children became embroiled in legal disputes. The first time that there standards set for homeschooling was in 1985 when the New York State Department of Education created guidelines for parents wanting to teach their children at home. These guidelines were more recommendations than laws. Determining who could teach their child or children at home were the school districts which caused inconsistency with the implementation of homeschooling as the districts could implement different guidelines for parents wanting home school instruction for their children.

Three years after the creation of the guidelines in 1988, New York State passed Section 100.10 of the Regulations of the Commissioner of Education in the summer prior to the 1988-1989 school year, and has been enforced for the last thirty-one years.<sup>83</sup> Section 100.10 details the

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<sup>81</sup> Chris Mercogliano, *Making it Up as We Go Along: The Story of the Albany Free School* (Portsmouth, NH: Heinemann. 1998). 4.

<sup>82</sup> Mercogliano, *Making it Up as We Go Along*. 7.

<sup>83</sup> Ezra Husney “A History of Home Schooling in New York State” *The Coalition for Responsible Home Education*, 2016. <https://www.responsiblehomeschooling.org/histories-of-homeschooling/a-history-of-homeschooling-in-new-york-state/>

homeschooling regulations, such as the required and additional subjects for kindergarten through twelfth grade, attendance requirements, quarterly reports, and assessments.<sup>84</sup>

Seeking to teach her son at home, Mary Leue was committing a crime. Befriending someone in the curriculum office of the State Education Department, Leue was provided with information that stated she was in her right to homeschool her child, and with that ally, she effectively became the first person who was legally allowed to home school her child.<sup>85</sup>

Knowing this, other parents whose children had become unhappy with the public schools, started to send their children to Leue for instruction. As noted earlier, it was this constant expansion, beginning in 1969, that led to the Free School finding a home in the old parochial school building.

Since her son and other children were unhappy with the public schools, Leue sought to learn from others, by having the Free School offer an alternative form of education. Learning from past experiences of other radical educational experiments, Leue sought to implement a model similar to that of the First Street School. The First Street School, founded by George Dennison and his wife Mabel Chrystie, was conceived as a place to foster growth and that the relationships between those who attended the school was the key to learning. Leue and the teachers she brought in, including Chris Mercogliano, sought to implement a model based off of the experiences of the First Street School.

The model that was implemented by the Free School was a compromise between what Mary Leue wanted and what the parents wanted. The parents believed that the school should function like that of a traditional public and private school, with desks, textbooks, mandatory

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<sup>84</sup> New York State Homeschooling Regulations. <http://www.nyhen.org/regs.htm#c>

<sup>85</sup> Chris Mercogliano, *Making it Up as We Go Along: The Story of the Albany Free School* (Portsmouth, NH: Heinemann, 1998). 5.

classes, competition, grades, and lots of homework.<sup>86</sup> Leue wanted a more egalitarian model. The compromise that was reached was in the mornings, the students would have lessons to improve basic skills while in the afternoons they were left to choose anything they wanted to do.<sup>87</sup> As Mercogliano stresses in his book *Making it Up as We Go Along*, parents noticed that their children were exhibiting behavioral and attitudinal changes that were not there when they had previously been enrolled in the public schools.

While the dynamics and educational aspects are important to understanding why the Free School has succeeded with educational success and maturation of the students who pass through the school and as well as its longevity, the location of the school plays an equally important role in its history. It is commonly believed that in order for a school with radical education to succeed, that the families have to have some wealth. This is part of what makes the Free School an outlier in that it is located in a working class neighborhood with low to middle income families. The intention of Leue and the teachers was to create a school that had a “diverse student population” not a school that only families who could afford private schools could attend.<sup>88</sup> In the early 2000s, the pay scale for the Free School is as follows: \$0 to \$75 a month for families with an after-tax income of \$0 to \$14,999 to \$700 a month for families with an after-tax income in excess of \$100,000.<sup>89</sup>

By playing politics and compromising with parents, Mary Leue and the teachers of the Free School were able to create an environment that was diverse and catered to the growth of the students who attended. Being situated in an old parochial school building in the South End

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<sup>86</sup> Mercogliano, *Making it Up as We Go Along*. 9.

<sup>87</sup> Ibid. 10.

<sup>88</sup> Kristan Accles Morrison, *Free School Teaching: A Journey into Radical Progressive Education* (Albany, NY: State University of New York Press. 2007). 54.

<sup>89</sup> Morrison. *Free School Teaching*. 54.

neighborhood, Leue created a private school that helped those who were unhappy with the public schools succeed. They succeeded educationally, but what was more important was that the children who attended the Free School were experiencing behavioral changes. Additionally, the location of this school created a diverse environment in terms of both race and social class. Many of the students were African-American and came from working class families. How much a family could pay was not the main concern as the Free School grew. What mattered to Mary Leue and teachers such as Chris Mercogliano, were that the children grew through experiences rather than sitting behind a desk with lots of homework in a traditional setting.

### **Conclusion**

Kofi Anan, a Ghanaian diplomat and former Secretary-General of the United Nations once said, “Knowledge is power. Information is liberating. Education is the premise of progress, in every society, in every family.”<sup>90</sup> On their own, these sections present a story of one part of Albany’s educational history between 1954 to 1979. But taken together, the sections present the history of how the educational success of black children living in the Arbor Hill and South End neighborhoods were impacted. This paper attempted to insert itself into the discussion of education during the mid-twentieth century by showing how a small city in the North responded to segregation. The history of educational reform in Albany during the mid-twentieth century is representative of towns and cities throughout the United States, showing what happens when people do not put the necessary effort into addressing the imbalance in schools and educational opportunities for the students, and what happens when an organization is unable to drum up

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<sup>90</sup> “‘If Information and Knowledge are Central to Democracy, They are Conditions for Development,’ Says Secretary-General,” United Nations. Press release, June 23, 1997., on the United Nations website, <https://www.un.org/press/en/1997/19970623.sgsm6268.html>, accessed May 10, 2019.

support to change the schools. These factors inhibited the growth and success of the children who entered into Albany's schools during this time.

Schooling in Albany has presented numerous problems. Upon arrival into Albany's Arbor Hill and South End neighborhoods, many African-American children were deprived the necessary means to succeed academically. Albany's school board and superintendent sought to comply with State Education Commissioner, Dr. James E. Allen's memo expressing the need to reduce the racial imbalance in schools. With every plan the board proposed, they believed that parents would not allow for the plans to be implemented.

This unwillingness to implement plans was not the case in New York City, where the Board of Education, as well as the teacher's union implemented plans they saw as decreasing the racial imbalance in the schools. It was only after the implementation of these plans that parents voiced their concerns about how the schools in their neighborhoods were not being fixed. These concerns grew to the wanting of the schools to be controlled by the community. This desire for control of the neighborhood schools led to the teachers strike of 1968.

The desire for community involvement in the education of their children became a central focus for The Brothers as they sought to drum up support for better education. Through the distribution of their newspaper, *The Albany Liberator*, they detailed not only the policies being implemented by the schools, but also the culture and condition of the children in the schools. The Brothers made note of the condition and problems that children were also encountering in the parochial Catholic schools. They noted how funds were being misused and how not every child attending the schools were Catholic.

While there were many problems in the public schools, the Milne School, funded by the State University of New York (SUNY) system, encountered problems of their own. Although

there was stability within the school during Theodore H. Fossieck's tenure as principal, the school faced a lawsuit because of its admission's policy. The admissions policy changed after the lawsuit, and although the school actively sought to increase its black population, because of its location the school continued to have a small black population within its grades.

Location and stability were not the problems for the Albany Free School. Founded by Mary Leue in 1969, the school settled into an old parochial school building in Albany's South End. The school was geared towards accepting all students, regardless of their race, social class, and economic status. It employed a radical form of education that centered more on the children growing and learning through experiences rather than sitting behind a desk in a traditional school setting.

Since the teacher's strike in 1968, and the wanting for community controlled schools and curriculum, public schools in New York City have become more segregated than what they previously were. This is not a problem that New York City is facing alone. Albany has seen more private and charter schools enter into the city, and in 2017 the *Times Union*, a local Albany news outlet, produced a ranking of what it determined to be the schools with the highest racial imbalance in the area. Many of the schools in the ranking are charter schools, with the highest percentage of a non-white student body being 99%, including Arbor Hill elementary.<sup>91</sup> This racial imbalance in schools is something that Albany has dealt with for a long time, and the lack of effort between 1954 to 1979 in addressing this imbalance and the inability to drum up community involvement left Albany's schools in their current situation.

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<sup>91</sup> Cathleen F. Crowley, "Albany Schools ranked by racial segregation" *Times Union*, December 1, 2017.  
<https://www.timesunion.com/news/slideshow/Albany-schools-ranked-by-racial-isolation-167357/item-85307.php>



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