

Commissioner of Education: Person in charge of all public schools in New York State

Petitioner: A person or a group that wants to change something legally.



TO THE COMMISSIONER OF EDUCATION:

Your petitioners herein are residents of the village of Hillburn, Rockland County, New York, and citizens of the United States and of the State of New York. They are tax payers contributing to the general education fund which supports the public schools in Rockland County.

Each of the petitioners is a parent of a child or of children of public school age. There are two schools in the village of Hillburn, commonly called the Main School and the Brook School, both of which are alleged to be under the jurisdiction of the Board of Education of Central School District Number 1 of the town of Ramapo. Petitioners are all Negroes.

Over a long period of years the aforesaid Board of Education maintained the practice of placing all Negro elementary school pupils of Hillburn in the Brook School, and the white elementary school pupils of Hillburn in the Main School. Negro pupils were excluded from the Main School and white pupils were excluded from the Brook School.

This practice of segregation was in violation of section 920 of the Education Law, which provides as follows:

"No person shall be refused admission into or be excluded from any public school in the State of New York on account of race or color."

This practice was also in violation of section 40 of the Civil Rights Law, which provides:

"All persons within the jurisdiction of this state shall be entitled to the full and equal accommodations, advantages, facilities and privileges of any place of public accommodations... A place of public accommodation...within the meaning of this article, shall be deemed to include public libraries, kindergartens, primary and secondary schools, high schools..."

On September 8, 1943 the Negro pupils in Hillburn refused to attend Brook School to which all of them had been assigned. After this became publicly known, on the evening of September 8, 1943 the aforesaid Board of Education adopted the following resolution:

Race/color can't stop people from attending public schools

Everyone is allowed in a public place. Schools are a public place.