

DECREE # 2

1. The appellees in Nos. 1, 2 and 3, the respondents in No. 4, and the petitioners in No. 5 are permanently enjoined from excluding the appellants in Nos. 1, 2 and 3, the petitioners in No. 4, and the respondents in No. 5 from any public school on the ground of race.

2. The cases are remanded to the respective federal district and state courts for appropriate decrees to carry out the mandate of this Court in the light of the decisions in Brown v. Board of Education, 347 U.S. 483, and Hollings v. Sharpe, 347 U.S. 497.

3. The rights of the appellants in Nos. 1, 2 and 3, the petitioners in No. 4, and the respondents in No. 5 must be given effect immediately where all the relevant considerations controlling a court of equity make it feasible to do so. [~~Provided that steps toward full compliance with the standards enunciated in Section 4, infra, are undertaken at once by the affected school districts, the admission of a named plaintiff may be delayed for a reasonable period, not to exceed one school cycle of 12 years.~~]

4. Insofar as reorganization may be necessary in the school districts affected by our judgment and mandate and in other school districts similarly situated, so as to make effective this decree that no student shall be denied admission to any public school because of his race, the respective lower courts are to require that any new or reorganized school districts to be established by local authorities shall be geographically compact, contiguous and non-gerrymandered. And it shall further be made incumbent upon local authorities that within a given school district Negro students be

not refused admission to any school where they are situated similarly to white students in respect to (1) distance from school, (2) natural or manmade barriers or hazards, and (3) other relevant educational criteria.

5. On remand, the defendant school districts shall be required to submit with all appropriate speed proposals for compliance to the respective lower courts.

6. Decrees in conformity with this decree shall be prepared and issued forthwith by the lower courts. They may, when deemed by them desirable for the more effective enforcement of this decree, appoint masters to assist them.

7. Periodic compliance reports shall be presented by the defendant school districts to the lower courts and, in due course, transmitted by them to this Court, but the primary duty to insure good faith compliance rests with the lower courts.

with all deliberation
speeds, after making
providing due hearing is
had on the relevant facts
and on the merits of the case
and the propriety of the
proposed speed proposals.