



### Grow your own

Winners of the "brothers of the brush" contest included (from left) Hamilton Dana (most colorful); Dan Klavender (most artistic) and Bill Hargrove (most growth). Others who made it to honors among Farmington's hairiest include Dr. John Richardson, Lee Paschke, Bob Christ, Dave McGinnis and Don McGregor. (Photos by Ralph Evert)

## Supreme court action ends busing debate

On Thursday, July 25, 1974, the U.S. Supreme Court wrote the closing chapter of the long, bitter cross-district busing story.

By a 5-4 vote, the court ruled that busing across school district lines could not be required "except in certain specified or 'narrow' circumstances."

The decision brought to a close what had become a lengthy, bewildering drama of massive proportions.

Many Southfield and Farmington residents were not aware that their children might be involved in cross-district busing until the late U.S. District Court Judge Stephen Roth issued his now famous integration plan for Detroit and 52 suburban school districts on June 14, 1972.

ROTH'S PLAN actually was the result of a suit initiated by the National Association for the Advancement of Colored People (NAACP) in August 1970 against the Detroit Board of Education and the State of Michigan.

Roth's sweeping plan would have affected 780,000 students, required the purchase of at least 350 new buses and would have cost more than \$100 million with some estimates as high as \$200 million.

Detroit schools were 65 percent black at the time of Roth's ruling and suburban schools were less than 10 percent black. The plan would have made every school in the affected area about 25 percent black.

Roth appointed a nine-member panel to submit within 45 days a detailed plan for implementing his cross-district busing plan.

School districts affected by the original plan included Southfield.

One month later, attorneys challenged Roth's plan and a hearing was scheduled in the 6th Circuit Court of Appeals in Cincinnati for stays of the order.

The attorneys contended that they had never been found guilty of segregation and therefore should not have been included in a remedy plan.

IN DECEMBER 1972, a three-judge appeals court panel ruled unanimously that Roth was right in including the 52 suburban school districts in plans to desegregate the Detroit schools.

"Big-city school systems for blacks surrounded by suburban school systems for whites cannot represent equal protection of the law," the judges ruled.

But they also ruled that Roth erred in not giving all 52 districts a hearing to argue against their inclusion in the plan.

Of the 52 districts involved, 34 had intervened or become parties to the case. Southfield and Farmington school districts were among them. The other 18, including Birmingham, Bloomfield Hills and West Bloomfield, chose not to become parties to the case.

The court of appeals set aside Roth's plan saying further hearings in

federal court would be necessary. The judges also said their decision could be reversed by the U.S. Supreme Court, but if upheld by the high court it would assure some metro-wide busing plan at some future time.

ONE YEAR AFTER Roth's original order, attorneys representing suburban school districts reviewed the case before the full nine-member appeals court which upheld in a 5-3 decision the three-judge panel's ruling of six months earlier.

Roth was ordered to hold immediate hearings with suburban school districts represented in court.

William M. Saxton, attorney representing 31 of the 34 districts which had intervened, sought an immediate appeal to the U.S. Supreme Court, saying it would be a waste of the district court's time to hold hearings on a metropolitan busing plan if the high court later decided against such a plan.

In September 1973 Roth ordered that all school districts in Oakland, Wayne and Macomb counties, except Pontiac, be made parties to the case. Pontiac already was under a federal court integration order.

Rochester and Avondale school districts had not been included in the original busing plan.

IN NOVEMBER THE Supreme Court agreed to review the case and late in February attorneys for several area school districts filed a joint brief with the court contending that they were not included in the original case and thus were denied an opportunity to present their views.

The attorneys also held that suburban school districts could not be involved in any busing plan unless they were individually found to have acted in a discriminatory fashion.

The court of appeals had dismissed similar arguments saying "it will not be necessary to find discriminatory

conduct on the part of each school system."

Chief Justice Warren E. Burger, who wrote the majority opinion, said cross-district busing should only be allowed where government actions created segregated schools throughout neighboring school districts.

In writing the landmark decision, Burger said it must be shown that "racially discriminatory acts" were committed.

"An interdistrict remedy would be in order where racially discriminatory acts of one or more school districts caused racial segregation in an adjacent district or where district lines have been deliberately drawn on the basis of race," he said.

Supporting Burger in his decision were Justices Harry A. Blackmun, Lewis F. Powell Jr., William H. Rehnquist, and Potter Stewart.

Those who wrote dissenting opinions were Justices William J. Brennan Jr., William O. Douglas, Thurgood Marshall and Byron White.

## New private school gets court settlement on zoning

By DIANE HUBEL  
FARMINGTON — An old Farmington mansion, the former Brennan home, on Drake Rd. south of Grand River, will soon be the first private, profit-making school in Farmington.

A year-long court battle between the city of Farmington and Mrs. Joan Dudley, the founder of the school, over zoning in the area has resulted in a consent agreement, which will allow Mrs. Dudley to open her school.

The conflict arose because of Farmington ordinance which has zoned the area for schools only allows for non-profit schools and Mrs. Dudley's school will be run on a profit making basis.

"IT IS ALMOST impossible to get investors to back something on a non-profit basis," she said. "They all want to see a return for their money, so our school will not be a non-profit organization."

Mrs. Dudley said that the judgment reached in her zoning case was a specific judgment made on the basis of the facts presented in that case.

The Farmington ordinance has not been altered by the decision, nor would it necessarily apply to other schools which may want to start in the area.

Now that the zoning matter has been resolved renovation on the school building is scheduled to begin later this year.

Preliminary architectural drawings have been completed.

THE SCHOOL will utilize the existing building, but interior changes will be necessary to meet the schools needs.

Mrs. Dudley said she hopes to open the school, which will be an elementary school, for kindergarten through sixth graders, in September 1975.

She has already been approached by people asking her to open the school in this fall.

"I feel there is a tremendous demand for private education in this area," Mrs. Dudley said. "There are no private schools that are really close, there is a one-half hour to an hour drive to any that are around, and most of them have waiting lists."

The school will be small, between 110 and 120 students. The curriculum will be fairly "old fashioned" she said, but there will be special teachers for special courses, like music, art, and science.

"The school will not be limited to gifted children," Mrs. Dudley said. "I don't think that anyone ever reaches his full potential, we must keep working at it. I think that with small classes and individual, personalized attention, from the teachers we can help bring out the potential of all the children."

SHE BEGAN working on the project three years ago.

Initially she checked to see if the idea was feasible, and if there was a demand for private education in

the area, then she began to work out the details.

So far, all the plans she has submitted to the state have been approved.

Mrs. Dudley who is a teacher at East Jr. High said she has wanted to start a school for a long time.

"I think all people involved in any profession have an idea about what the ideal situation would be in that field. You come to a point in your career where you must begin to work toward that ideal or you must give up the dream all together."

Although several teachers have approached her, and she has held some interviews, no personnel decisions have been made yet.

Mrs. Dudley will be serving as the principal of the school, and all policy decisions have been made by her so far.

"With only 110 students I don't think we need a lot of administrators," she said. "I intend to put the money into curriculum and into teaching staff rather than into administration."

### Principal leaves

John F. Walther, principal of St. Paul's Lutheran Day School, is leaving Aug. 1 to become superintendent of the Lutheran School Association of Decatur, Ill.

Since coming to St. Paul's in 1963, Walther has been principal of the day school, taught eighth grade, and been director of music.

He is married to Caroline Heppner and has three children, Corey, Jeanette and Julianne.

Special services in honor of the Walther family will be held Sunday morning at 8 and 10 a.m. at St. Paul's Church, 20605 Middle Belt.

Friends are invited to a potluck luncheon in the social hall after the 10 a.m. service.

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**Farmington Observer & Eccentric**  
Published every Monday and Thursday by the Observer & Eccentric Newspapers, 30251 Schoolcraft Rd., Livonia, Michigan 48150. Second-class Postage paid at Livonia, Michigan 48151. Address all mail (subscriptions, change of address, Form 3579) to P.O. Box 2428, Livonia, Michigan 48151.  
Co-Publishers  
Henry M. Hogan, Jr. Philip H. Power  
Editor  
Dan McCosh  
HOME DELIVERY SERVICE  
Newstand.....per copy, 15c  
Carrier.....monthly, 75c