

Inventory of

People Who Care
Rockford, Illinois

Records

In the

Regional History Center

RC 271

INTRODUCTION

Marjorie Johnsen donated records for this organization to the Regional History Center on June 8, 2004. Additional materials were donated by Glenda Shaver on July 8, 2005 and Carol Ashley on April 13, 2012.

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SCOPE AND CONTENT

The materials in the People Who Care Records date from 1969 to 2007. Series I documents the case of People Who Care vs. the Rockford Board of Education from 1989 to 1999, and include reports and correspondence related to the lawsuit.

Series II, Rockford Schools, contains two subseries: Subseries A, History and Reports, contains a variety of documents dating from 1969 to 2001 dealing with Rockford's Schools and includes information on Diversity, Controlled Choice, and Magnet Schools. Included here is a copy of "Together Toward a Brighter Tomorrow," the 1989 Rockford schools plan which was the cause of the People Who Care lawsuit. Of special note is material related to West High School including two items of memorabilia from 1945 and 1946. Subseries B, Concerned Organizations and Individuals, contains additional reports and correspondence by those interested in the betterment of Rockford's schools.

Series III consists of newspaper clippings from 1986 to 2000 related to the lawsuit, desegregation issues, and the various schools involved.

Series IV through VI all originate from the law firm of Futterman & Howard CHTD., who represented the plaintiffs of the case. The series are made up of Pleading Volumes (IV), Transcripts of Trial (V), and Supporting documentation (VI). Supporting documentation (VI) is further divided into Rockford Board of Education material (A) and Freeport Board of Education material (B).

HISTORICAL SKETCH

People Who Care was established March 19, 1989 by a group of concerned citizens and parents led by Ed Wells and Larry Curtin. They opposed Rockford School District #205's

January 1989 plan “Together Toward a Brighter Tomorrow” which sought to reduce costs for the school district by closing ten schools and restructuring others. People Who Care’s two biggest concerns were the creation of large elementary schools which would replace neighborhood schools, and the closing of West High School, “the only naturally integrated high school.” Unfortunately, this plan placed the greatest burden of school closings and transportation on minority, low income and high-risk students who lived on the west side of the Rock River, Rockford’s natural dividing line.

People Who Care sought to modify the plan through meetings with the Board of Education and administrators of District #205, but the District refused to change its plan. On April 21st People Who Care filed a discrimination complaint with the U.S. Department of Education’s Office for Civil Rights. However, it became obvious that since the District was quickly implementing its plan, pursuing the slow, bureaucratic route to justice would not be able to address the matter in time.

Ed Wells recruited Chicago civil rights attorney Robert C. Howard to represent People Who Care. On May 11, 1989 Howard filed suit in U.S. District Court (*People Who Case, et al v. Rockford Board of Education*, case number 89 C 20168). District #205 was charged with violations of both Illinois’ Armstrong Act and the Fourteenth Amendments’ guarantees of equal protection under the law. Motions for a preliminary injunction and a restraining order to prevent the District from disposing of facilities were filed in conjunction with the suit.

On July 7, 1989, before the start of testimonial hearings which could have delayed the start of the 1989-90 school year, People Who Care and the District 205 School Board, under new superintendent Maurice Sullivan, reached a settlement on the preliminary injunction aspect of the suit. As a result of the settlement four neighborhood elementary schools Barbour, Church, Ellis and Stiles were reopened, and the controversial “Mega” elementary school in the Wilson Middle School building [scheduled to house over 1000 students, mostly minority or otherwise “at risk” students] was cancelled. In addition, it was also agreed that the “Magnet” school concept, which People Who Care fought for would be used for the development of an elementary school at Washington Center during the 1989-90 school year and at another southwest quadrant school in the 1990-91 school year. Unfortunately, People Who Care’s goal to retain both West and Auburn High Schools on the west side of District #205 was not achieved. West, a residentially integrated high school, would have its minority community disbursed to four other high schools, placing most of the burden of integration on minority and west side students. Also as a result of the settlement agreement, District #205 was required to completely re-evaluate the entire secondary school system during the 1989-90 school year. The settlement, called the Interim Agreed Order, was under the jurisdiction of the U.S. District Court and Judge Stanley Roszkowski.

In February 1990, the plaintiff’s attorney’s fees in regards to the case began to be addressed in court. The Rockford School Board appealed the fees and trials occurred

sporadically through the length of the entire *People Who Care, et al v. Rockford Board of Education* lawsuit. Ultimately, in 1996, all decisions were reversed and the fee award went back to the district court.

Within the first year of the trial, attorney Howard began to distance himself from the main body of People Who Care, who believed he was not listening to their concerns. In January of 1991, Dr. Eugene Eubanks was assigned to evaluate District #205's compliance with the Interim Agreed Order (1989). He was asked to make recommendations for future remedial measures. On April 24, 1991 the Second Interim Agreement was signed which allowed for an additional \$6.8 million to be spent, plus \$25 million in bonds to be raised for new and refurbished schools. Judge Roszkowski said the Rockford school district could use the Tort Immunity Act to fund the cost of the remedial measures, which allowed the district to levy additional property taxes and issue bonds without taxpayer approval.

Meanwhile, People Who Care incorporated on May 29, 1991, and Howard converted the lawsuit to a class action suit alleging that the Rockford School District had engaged in a pattern of intentional segregation and discrimination. Judge P. Michael Mahoney was referred to the case on June 29, 1992. From April 1993 to February 1994 the Rockford School District was on trial. Mahoney charged the district with consistently breaking the law by segregating minorities and he issued a Comprehensive Remedial Order for Rockford Public Schools in August-September 1996 which introduced "controlled choice" into the district. The Comprehensive Remedial Order (CRO) also called for magnet schools, creative arts curriculum and court oversight of building plans and boundary changes, with required semi-annual implementation progress reports.

On October 26, 2000 the Illinois Supreme Court declared illegal the Rockford School Board's use of the district's tort fund to pay for "remedies" in the People Who Care's school desegregation case.

In April 1997 the appellate court struck down key provisions of the CRO. It was modified in late summer of 2000, only to be reversed in April of 2001. It was at this time that the CRO was set to be terminated by the following June as desegregation of the school district was considered completed. Despite this decision, a Second Interim Order was filed on April 24, 2001 as the CRO was being faded out. Both parties agreed to continue efforts to ensure equality in District #205 but did not address liability. Teachers' unions appealed the Order, as they objected to portions that affected collective bargaining rights. In April of 2002 these portions of the Order were eliminated. In June of the same year the Board of Education resumed control of Rockford School District.

A similar case of discrimination in the Freeport, Illinois School District #145 that was quickly settled outside of court offers a contrasting case represented by the Futerman and Howard law firm. The Freeport African American Ministers United For Change (FAAMUC) and a U.S.

Department of Education's Office of Civil Rights investigation in 1997 charged discrimination against minorities in the Freeport schools as shown through minorities' poor performance. The Memorandum of Understanding quickly reached between the FAAMUC, the Freeport Board of Education, and the Freeport Education Association in 1997 resulted in the creation of an Office of Equity in the Freeport School District and changes to programming to meet the under-performance of minorities. The swift resolution by the Freeport Board of Education saved the school district from the lengthy court proceedings experienced in the People Who Care vs. Rockford Board of Education case.

[Information taken primarily from "People Who Care" brochure of 7/20/89 in Box 1, Folder 1; "Rockford School District Key Dates," *Rockford Register Star*, December 17, 2003, in Box 8, Folder 6; and the *Civil Rights Litigation Clearinghouse* Case Profile, www.clearinghouse.net/detail.php?id=1052, accessed June 28, 2012]

SUBJECT TRACINGS

American Association of University Women, Rockford
 Discrimination
 Education
 Freeport (Ill.) Board of Education
 Futterman & Howard
 High Schools
 Howard, Robert C.
 Lawyers
 League of Women Voters (Rockford, Ill.)
 People Who Care
 Race Relations
 Rockford (Ill.)
 Rockford (Ill.) Board of Education
 Rockford Educating All Children (REACH)
 Rockford Education Association (REA)
 School District of Rockford (Ill.)
 Schools
 Segregation in education
 Shaver, Glenda
 Wells, Ed
 West High School (Rockford, Ill.)

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	3	Open Meeting Tape, February 11, 1992	
	4	Attorney Fees, 1990-1994	
	5	Concerns about Howard, 1991-1992, 1997, n.d.	
	6	Robert Howard, Correspondence to, November 1990-March 1998	
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	10-11	People Who Care vs. Rockford Board of Education, 1989-June 1991	
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5	1	Second Interim Order, Proposals January 30, 1991, and n.d.	
	2	Second Interim Order, Rockford Public Schools/People Who Care, April 24, 1991	
	3	Second Interim Order, April 24, 1991, Tentative Initial Action Plan, Tasks/Assignments, May 24, 1991	
	4	Report of the Equity Audit, Volumes 3 & 4, May 1992	
	5	Planning and Implementation Committee (PIC), Minutes (1992-1995)	
6	1-5	Plaintiff's Proposed Findings of Fact, April 2, 1993	
7	1-2	Plaintiff's Proposed Findings of Fact and Post-Trial Memorandum, June 9, 1993	
	3-5	Report and Recommendation, People Who Care vs. Rockford Board of Education, November 3, 1993	

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	2	Dr. Christine Rossell Testimony, December 1995	
	3	Proposal to Address Magistrate Mahoney's Ruling on the Use of West [High School], May 20, 1996	
	4	Rockford Public Schools Comprehensive Remedial Order, Case No. 89C20168, People Who Care vs. Rockford Board of Education, August-September 1996	
	5	Rockford Board of Education, School District #205's Semi-Annual Implementation Progress Report, July-December 1997	

Series II. Rockford Schools

Subseries A. History and Reports

	6	Rockford School Issues, History, 1969-1983, 1989-2003	
	7	Rockford Middle Schools, 1973-1974	
	8	Diversity Issues, Desegregation, (1973-2001)	
	9	Guide for Self-Appraisal and Improvement of Elementary Schools, Final Report, September 1972 (by League of Women Voters & American Association of University Women)	
	10	Report of the Survey of Rockford's Middle Schools, 1973 (by League of Women Voters & American Association of University Women)	
	11	Report of Data Studied Regarding Building Utilization for District 205, April-October 1988	
	12	Ad Hoc Citizens' Committee Report on School District Operations, November 17, 1988	
9	1-5	Rockford Board of Education, 1988-2000	
	6	Rockford Board of Education, Oversight, Advisory and Planning Committee (OAPC), 1989-1990	
	7	"Together Toward a Brighter Tomorrow," John C. Swanson, January 24, 1989	
	8	West High School Issues, (1989-1994)	
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	8	Comprehensive Multi-Year Remedial Plan for the Desegregation of the Rockford Public Schools, January 1995	
	9	Controlled Choice Plan, 1995, n.d.	
11	1	Rockford Public Schools, Finance Committee, 1996	

Subseries B. Concerned Organizations and Individuals

2	Rockford Education Association (REA), 1988-1997
3	Community Coalition on Education, 1991
4	Community Education Task Force, 1992-1993, 1995
5	Community Education Task Force Report, January 25, 1994
6	“Community Educational Task Force in Rockford, IL: One Example of Private-Sector Involvement in the Public School System,” by Pamela H. Shaver, April 11, 1996
7	Rockford School Board Candidates, 1991-1992, 1994, n.d.
8	Rockford Political Action Committee for Education (RPACE), Board of Education Candidate Questionnaires, 1992, 1993
9	Rockford Educating All Children, (REACH), 1996-2000
10	Glenda Shaver, Correspondence and Notes, 1989-2000
11	Rockford School Issues, Correspondence, 1992

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ADDENDUM: FUTTERMAN & HOWARD, CHTD.

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