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# A Proposed Merger of the Hopkins County School System & the Madisonville Independent School System

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Good,  
Lewis M.

1951



A PROPOSED MERGER OF THE HOPKINS COUNTY SCHOOL SYSTEM  
AND THE MADISONVILLE INDEPENDENT SCHOOL SYSTEM

BY

LEWIS M. GOOD

A THESIS  
SUBMITTED IN PARTIAL FULFILLMENT  
OF THE REQUIREMENTS FOR THE DEGREE OF  
MASTER OF ARTS

WESTERN KENTUCKY STATE COLLEGE

JULY, 1951

Western Kentucky State College  
Library

Approved:-

Major Professor and  
Department of Education  
Graduate Committee

*Lee Francis Jones.*

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## CHAPTER I

### INTRODUCTION

#### 1. Purpose of this Study.

This study is planned to determine the conditions in the Hopkins County Schools, and show how a remedial program was set up by the Hopkins County Board of Education to meet the challenges of modern school needs. There is much to be done and no one is more cognizant of this fact than the writer. It will take a great deal of patience, time, and money to bring the program as planned to a successful conclusion.

#### 2. Sources of Data.

The information to be found in this thesis was obtained from the offices of the Hopkins County Superintendent, Madisonville City Superintendent, the surveys made by the Kentucky State Department of Education in years 1935 and again in 1949-50, and Gordon & Gordon and Mills law offices. Other information came from various professional magazines and books on administrative procedures. Also credited are various personal conversations with citizens of the county.

#### 3. The Purpose of this Thesis.

This thesis has for its purpose the presentation of the exact steps and procedures followed in attempting to merge the Hopkins County School System and the Madisonville Independent City School System into one administrative school unit. Considerable time will be given to the early history which led to the initial steps of the merger. Attention will be called to the weak and strong points as the merger is developed.

## CHAPTER II

## HISTORY

In a report made by the State Department of Kentucky in 1935, it was recommended that the Hopkins County School System merge with the Madisonville City System. The report recommended high school centers at Madisonville and Nortonville.

A survey made at that time showed a population trend toward the urban communities and away from the rural areas. The general population of Hopkins County increased from 34,291 in 1910 to 37,449 in 1930 or about 9.1%. The general population for the Madisonville Independent District was shown to have increased from 4,966 in 1910 to 6,908 in 1930 or an increase of 39.1%. Dawson Springs Independent District showed an increase from 1,350 in 1910 to 2,311 in 1930 or an increase of 71.1%. During this same period the Earlington Independent District showed an increase of 15.8% and the Hopkins County (total) showed only an increase of 3.6% or from 24,044 in 1910 to 24,926 in 1930.<sup>1</sup>

At the same time the taxable wealth behind each child was \$1,616.80 in the County District; \$1,356.93 in the district of Earlington; \$1,209.33 in the district of Dawson Springs; and \$1,368.81 in the Madisonville Independent District. For the year 1934-1935 the Hopkins County Board of Education was levying only a fifty-cent tax rate while the independent districts of Earlington and Dawson Springs were levying \$1.50 on each \$100.00. At the same time, the Madisonville District had a tax rate of \$1.35 on each \$100.00 of assessed valuation.<sup>2</sup>

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<sup>1</sup> Brooker, John W., and others, A Study of Administrative and Attendance Areas of Hopkins County, 1935.

<sup>2</sup> Ibid.



Thus it becomes obvious that the concentration of school age children in the urban centers drastically reduces the funds available for each child. A comparison of expenditures per pupil in the various schools will throw some light on the inconsistencies resulting from the uneconomical operation of schools due to the distribution of children and efforts to maintain small high schools.

TABLE I<sup>3</sup>  
UNEQUAL EXPENDITURES IN COUNTY SCHOOLS

School District	Total Expenditure	Per Pupil	Per Pupil Elementary	Per Pupil High School
Hopkins County	\$133,961.93	\$24.73		
Beula			\$7.44	
Leetown			45.75	
Mortons				\$39.55
Nebo				64.80
Madisonville	90,510.87	41.65	26.07	
Dawson Springs	23,727.58	39.05	20.21	
Earlington	15,872.50	48.19	26.77	

The purpose of the above table is to show the unequal expenditures in the county due to poorly distributed small schools and is not intended to give a complete tabulation of expenditures. It is interesting to note that the expenditures vary from \$7.44 per pupil to \$45.75 in two rural elementary schools. The fact that \$64.80 was spent at Nebo High School as compared to \$39.55 at Mortons High School also shows the waste entailed in maintaining the very small high school.

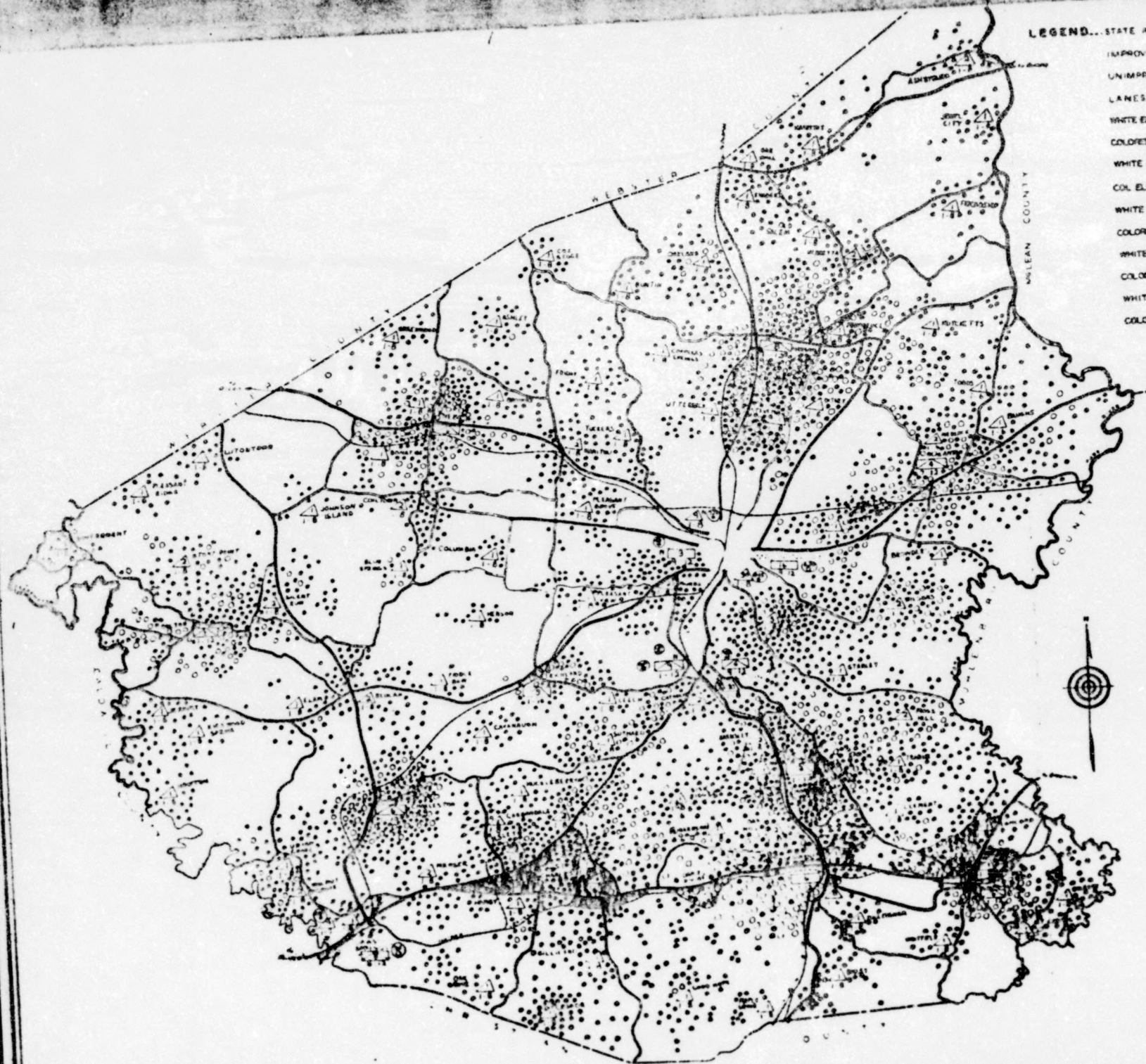
The following population map<sup>4</sup> of Hopkins County school children will throw some light on the difficulties involved in trying to maintain one-room

3.

Ibid.

4

Department of Education, 1936.



- LEGEND**... STATE AND FEDERAL HIGHWAYS.....
- IMPROVED COUNTY ROADS.....
- UNIMPROVED ROADS.....
- LANES.....
- WHITE ELEMENTARY SCHOOLS.....
- COLORED ELEMENTARY SCHOOLS.....
- WHITE ELEMENTARY AND HIGH SCHOOLS.....
- COL. ELEMENTARY AND HIGH SCHOOLS.....
- WHITE HIGH SCHOOLS.....
- COLORED HIGH SCHOOLS.....
- WHITE ELEMENTARY PUPILS.....
- COLORED ELEMENTARY PUPILS.....
- WHITE HIGH SCHOOL PUPILS.....
- COLORED HIGH SCHOOL PUPILS.....



MAE HOLL  
 SPOT MAP  
 OF  
 WHITE AND COLORED  
 ELEMENTARY AND HIGH SCHOOL PUPILS  
 OF  
**HOPKINS COUNTY**  
**KENTUCKY**  
 DEPARTMENT OF EDUCATION  
 1926  
 SCALE: 1" = 1 MILE



schools and small high schools.

There are ninety-one white elementary schools in Hopkins County classified as follows: Sixty-two one-teacher schools with an enrollment of 1,734; four three-teacher schools with an enrollment of 1,283; four three-teacher schools with an enrollment of 432; two four-teacher schools with an enrollment of 318; two five-teacher schools with an enrollment of 300; and one eight-teacher school with an enrollment of 247. This makes a total white elementary enrollment of 4,431 pupils for the Hopkins County School District. There are also ten white high schools in the Hopkins County District, three of which are one-teacher schools with an enrollment of ninety-three pupils, five three-teacher schools with an enrollment of 355 pupils, and two four-teacher schools with an enrollment of 137 pupils, making a total of 585 high school students in ten schools.

These detailed figures are given to show the extent of the problem faced by Hopkins County when the first survey was made looking toward a more efficient plan of administering the system.

The recommendations of the committee were made upon the assumption that no desirable elementary school can be maintained where a teacher is called upon to teach more than one grade, or under adverse conditions, a maximum load of two grades. All other elementary schools were called emergency schools and should be abandoned and their services transferred to permanent centers as soon as finances and road conditions permitted transportation. Recommendations were further based upon the assumption that no high school can offer a broad and enriched program for its pupils at a reasonable per capita cost with fewer than six teachers and a minimum enrollment of 175 pupils in the upper four grades. In order to determine the number of teachers for a proposed center an enrollment of forty-five

pupils in the elementary schools is taken as the maximum load per teacher and an enrollment of thirty-five pupils is arbitrarily taken as the maximum load for each high school teacher.

The survey committee recognized the fact that there would be many problems in a merger of such magnitude. It recognized, however, that the advantages of larger school centers for both elementary and high school pupils far outweigh the problems involved. In line with this thinking it was recommended that the County System merge with the three independent districts of Madisonville, Dawson Springs, and Earlington. (It should be noted that this study deals with the final decision to merge only the Madisonville Independent District and the County District).

The following map of Hopkins County<sup>5</sup> shows the recommendations of the committee in relation to the county area and available roads. By adding the centers at Dawson Springs and Earlington we have a map showing the four high school centers in the 1951 plan.

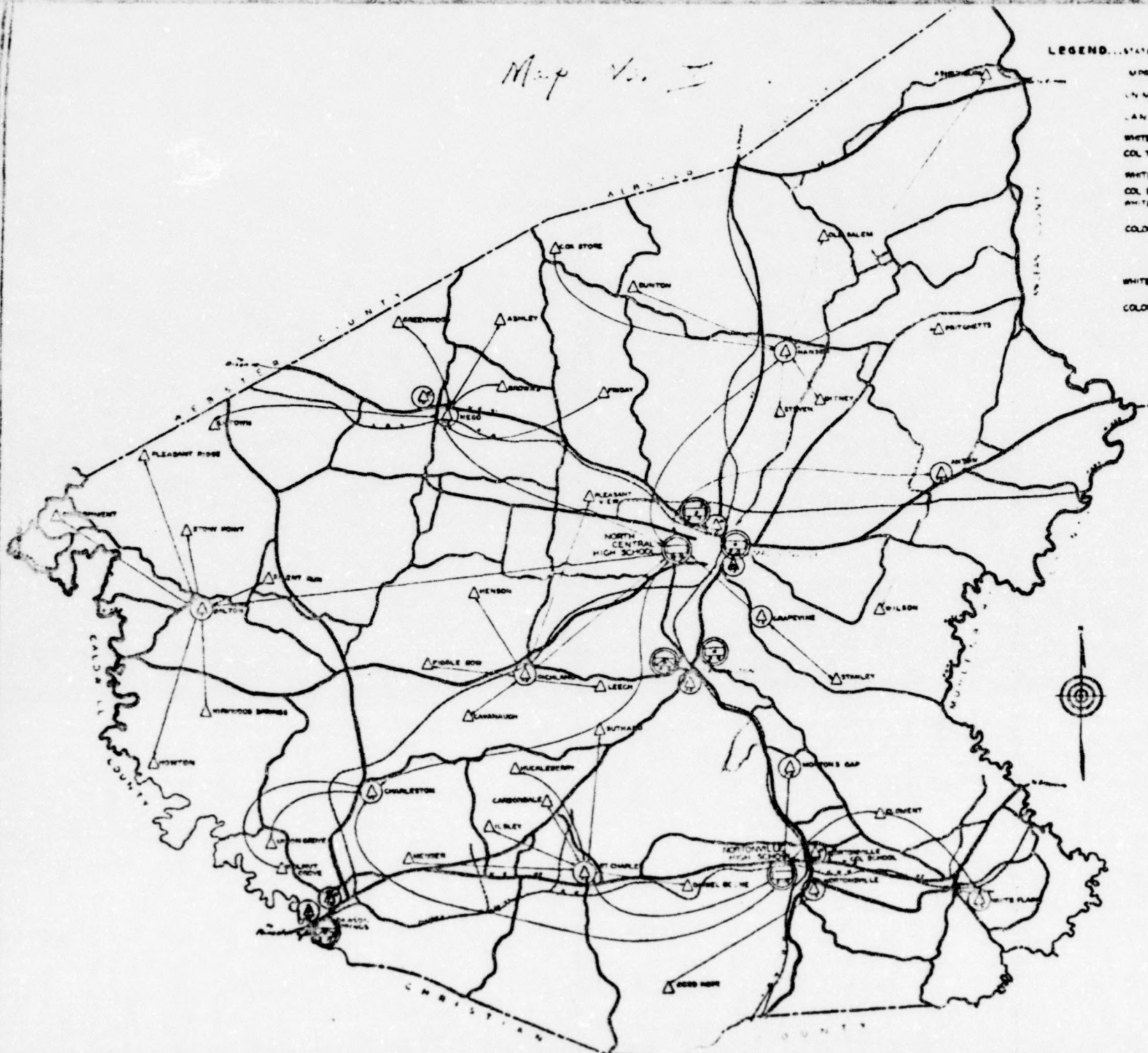
The following table shows the estimated cost in 1935 of the proposed merger.

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<sup>5</sup>  
Ibid.



Map No. 2



- LEGEND...STATE AND FEDERAL HIGHWAYS.....
- UNPAVED COUNTY ROADS.....
  - UNPAVED COUNTY ROADS.....
  - LANES.....
  - WHITE TEMPORARY ELEMENTARY SCHOOLS.....
  - COL. TEMPORARY ELEMENTARY SCHOOLS.....
  - WHITE ELEMENTARY SCHOOL CENTERS.....
  - COL. ELEMENTARY SCHOOL CENTERS.....
  - WHITE ELEMENTARY AND HIGH SCHOOL CENTERS.....
  - COLORED ELEMENTARY AND HIGH SCHOOL CENTERS.....
  - WHITE HIGH SCHOOL CENTERS.....
  - COLORED HIGH SCHOOL CENTERS.....

MAP NO. 2  
PROPOSED EDUCATIONAL PROGRAM  
FOR  
**HOPKINS COUNTY**  
**KENTUCKY**  
DEPARTMENT OF EDUCATION  
1934  
SCALE 1/4" = 1 MILE



TABLE II<sup>6</sup>  
SCHOOL BUILDING NEEDS OF HOPKINS COUNTY

Name of School	Description of Building	Estimated Cost*
Nortonville	Seven-room addition	\$ 30,000.00
Gayson	Five-room addition	14,000.00
Charleston	Two-room addition	5,000.00
St. Charles	Nine-room addition	40,000.00
Nortonville	Four-room building	20,000.00
Madisonville	Twelve-room building and gymnasium	60,000.00
Contingent Building Fund		50,000.00
Present Building Program		143,000.00
	TOTAL ESTIMATED COST	\$362,000.00

\* It will be interesting for the reader to compare these estimated costs with the estimates in the 1951 merger.

Note: Since 1935, Madisonville Independent District has built a high school at a cost to the Board of \$600,000.00. This was done with Federal Aid. The 1951 estimated value of the entire plant is approximately \$1,000,000.00

In the Committee Report<sup>7</sup> it was pointed out that many advantages would be found in larger units for both elementary and high schools. The statement of the Committee follows:

"From a study of the present school systems and in accordance with the above recommendations it is evident that the present small elementary and high schools must be consolidated to meet these requirements; but this, within itself, brings up the question of advantages of larger systems over the smaller schools. One of the arguments for such a program of consolidation is that it will permit the assignment of more elementary pupils per teacher which will result in a more economic administration and

<sup>6</sup>

A Study of the Administrative and Attendance Areas of Hopkins County, 1935.

<sup>7</sup>

Ibid.

operation of schools. In most cases, elementary teachers will be required to teach only one grade. High schools would be able to offer an enriched program including vocational agriculture, home economics, industrial arts, commercial courses and other desirable subjects, in addition to the regular academic program now offered by the small high school. Furthermore, the following arguments for larger and better school buildings are advanced:

- (1) Larger school buildings are more economic to construct and maintain than one and two-room structures.
- (2) School buildings and grounds for larger centralized schools are more likely to beautify the community.
- (3) Better qualified teachers are attracted to the larger, well-planned, and well-equipped schools.
- (4) Transportation, if properly carried out, is less hazardous than where children must walk to school.
- (5) A broader and richer educational program may be offered and, consequently, the children will be given greater opportunities.
- (6) The holding power of larger schools tends to be greater than that of small schools. This should result in a larger percentage of the children of Hopkins County being given the opportunity of high school education."



CHAPTER III  
INITIAL STEPS AND MERGER

In presenting the steps in bringing about the merger of the Hopkins County School System and the Madisonville Independent System, the writer is presenting copies of letters, resolutions, and speeches with the thought that the detailed procedure will be more interesting than his own account of same.

As a possible alternative to merger, a partnership plan was discussed with both boards by their respective superintendents. The following is taken from a speech made by Mr. H. W. Wilkey<sup>1</sup> introducing the idea to his board:

"In planning for a better school system and realizing the housing situation, our first thoughts might be to make additions to our present buildings all over the county. The first objection to that plan would be that it would not have the endorsement of our State Department of Education which must approve all building projects; nor would leading authorities on school planning count such a plan as educationally sound.

Our second objection would be that we could spend our money on such buildings only to find that the high schools would not be accredited and we would be compelled, provided we were not too heavily in debt, to eliminate the small high schools and to build other buildings.

The third objection is that such a plan would not enable us to separate the elementary and high schools which is more important than might seem on first thought.

The fourth objection is that the small high schools cannot provide the teacher power necessary to do the job of the modern school  
.....

The second road that we can follow is one for which we can have the approval of the State Department and of all leading authorities in the field of education . . . . . This road calls for elementary

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<sup>1</sup> Wilkey, H. W., Superintendent Hopkins County Schools.

schools in the various communities and for a reduction in the number of high schools. The old survey made by the State Department called for two county high schools to be located near Nortonville and Madisonville. There are only two high schools in the south end of the county at present, therefore our situation there is not so pressing as it is in the north end of the county where there are a number of small high schools that demand immediate attention.

If we accept the two-high school plan and one of these high schools is to be located near Madisonville, we are confronted with another decision to be made. Shall we construct a county high school which will duplicate and, in a sense, be a competitor of the existing Madisonville High School, or shall the plan be an attempt to cooperate and supplement rather than duplicate their school plant and thereby make it possible for both schools to have better programs?

The advantages to the county system in such a cooperative plan are:

- (1) A saving in capital outlay, as no stadium or large gymnasium would be needed.
- (2) There would be no need to duplicate the Trade School which would cost approximately \$300,000.00.
- (3) The savings made on the capital outlay outlined in the first two items might be partly used in construction of desirable additions not now had by the Madisonville High School . . . . .
- (4) The plan would allow a reduction in the number of high school teachers and this would enable the county to pay better salaries and thereby obtain the services of better qualified teachers.
- (5) It would provide the material for much greater music programs than can now be had by either school system.
- (6) It would be unsurpassed in its possibilities for extra-curricular activities.
- (7) It would provide an opportunity for the county to have a central garage for servicing school busses. There is no doubt but the transportation system under such a set-up would be more economical than it now is."

Following a period of favorable discussion, a preliminary plan was drawn up.



## Proposed Partnership High School

### Hopkins County at Crossroads

If greater high school opportunities are to be provided for the children in Hopkins County, the county board of education may follow either of two roads. First, the board may disregard all existing high schools in independent districts of the county and construct buildings with only the convenience of county pupils in mind; or, secondly, the county board might attempt to cooperate with independent districts where such cooperation is practical.

According to a survey made by a committee of the State Department of Education, there should be two county high schools, one of which should be located near Nortonville and the second to be located near Madisonville.

The question then is whether we should look forward to a possible merger of districts as is being urged by the reports of many surveys over the state by attempting a partnership high school in the meantime. If such a partnership high school could be successfully operated, this might be a way of obtaining most of the benefits of a merger without actually having it take place; and if it does take place at some future date, the buildings would be so arranged as to avoid waste.

On the other hand, each district might continue to operate high schools separately; and later, if a merger or partnership should be undertaken, one of the plants might become a junior high school and the other a senior high school

### Advantages of Separate School

There are no advantages to the pupils if the authorities of the two districts can work in harmony.



### Cooperation

1. Will allow both districts to have facilities that they would not have as separate schools, because money could be used for such that would otherwise be used in duplicating building facilities. For example, it would be unnecessary to have two stadiums, two large gymnasiums, two music buildings, etc.

2. Money can be saved on duplication of teaching positions and the elimination of small expensive classes.

3. County pupils would be nearer the area trade school and the trade school could be made strong enough to maintain its present departments after the G.I. program is ended.

4. It should make all departments stronger such as English, Chemistry, Physics, etc.

5. Should make stronger departments in music and result in better building facilities for a music department.

6. Should make a stronger athletic program.

7. In brief, such a partnership school should result in probably the most comprehensive high school program in Kentucky or elsewhere.

#### Such a Program Would Require

In order to have the program outlined above, the following must be had:

1. Adequate buildings
2. A transportation system
3. Cooperation of authorities
4. Competent teachers
5. An "Our School" feeling by patrons in both districts

### What the County Could Contribute

1. Buildings sufficient to house own pupils with changes made to supplement the total plant rather than duplicate where not needed.
2. A transportation system
3. Competent teachers at a fixed ratio of teacher-pupils.
4. Salaries for teachers
5. Cooperative spirit by board
6. An "Our School Feeling" if it is such

### What Madisonville Independent District Could Contribute

1. Present buildings and stadium
2. Teachers at the fixed ratio
3. Salaries of above teachers
4. Cooperative spirit
5. Certainly an "Our School" feeling

### Kind of Agreement

Due to difficulty of anticipating the problems that would arise in a close-knit partnership, it is deemed advisable to cooperate on a few important points and allow supplementary items to be added as the need is seen.

### Suggested Articles of Agreement

1. The name of this high school shall be the The Madisonville-Hopkins High School.
2. All reports shall be made as follows: Total Statistics  
Madisonville-Hopkins High School.
  - a. City Division \_\_\_\_\_ City Statistics
  - b. County Division \_\_\_\_\_ County Statistics



If necessary special report forms will be made for this school which will be acceptable to the State Department of Education.

3. The Madisonville Board of Education shall sell site for county building to the County Board of Education.

4. The Hopkins County Board shall erect building sufficient to house county children, but may include certain facilities such as a music department that may be used by entire school and leave off duplication of approximate cost.

5. Each Board shall maintain its own property.

6. The City Board shall have charge of all money from athletic sources in the maintenance of stadium and gymnasium.

7. There shall be a principal of each building, but there shall be an over-all principal for the purpose of coordinating the unified program in matters of curriculum.

8. The two superintendents shall agree on a total list of teachers and each superintendent will then submit his proportionate number of teachers to his respective Board for election.

9. Each district shall employ one teacher for every twenty-five students enrolled from that district. An additional teacher shall be employed if the remainder is twelve or more when the number of pupils is divided by twenty-five. In addition, each district shall employ a building principal and a librarian.

10. Excluding the principals, the two districts shall set up identical salary schedules unless it is mutually agreed to do otherwise.

11. It is estimated on the basis of the 1948-49 enrollment that the city will have approximately 350 students in grades nine, ten, eleven, and twelve, and the county will have 400 students in the same grades. On this

basis the teachers employed shall be as listed below except that changes may be made by mutual agreement.

Employed by City	Employed by County
1 Building Principal	1 Building Principal
2 English teachers	3 English teachers
2 Social Science teachers	2 Social Science teachers
1 Physical Education teacher and football coach	1 Mathematics teacher
1 Mathematics teacher and assistant football coach	1 Mathematics teacher and assistant basketball coach
1 Mathematics teacher	1 Basketball coach and science teacher
1 Latin teacher	1 Science teacher
1 Instrumental music teacher	1 Modern language teacher
1 Choral music teacher	1 Music teacher (instrumental or choral)
1 Home Economics teacher	2 Agriculture teachers
2 Commercial teachers	2 Home Economics teachers
1 Girls' Physical Education teacher	1 Commercial teacher
1 Librarian	1 Librarian

If the total instructional cost is not proportional to the number of children, one district may reimburse the other to make it so.

12. Due to the fact that the city superintendent will have office on the campus of said high school, he shall be expected to assume the major share of supervision of curriculum.

13. Agreement on trade school will be made later when demand for courses is ascertained.

14. All matters of controversy shall be arbitrated by a committee appointed by the State Superintendent from the State Department of Education and the education departments of the colleges.



Both boards felt that the problems arising from having two boards functioning separately would be too great and that a complete merger might be more desirable. With that line of thought in mind, Mr. Wilkey set the machinery for the merger in motion with a letter to the members of both boards January 31, 1950, and at his February board meeting set the stage for the negotiations which followed. A copy of his letter and his comments follows:

"January 31, 1950

Madisonville Board of Education  
Madisonville, Kentucky

Gentlemen:

I have been requested to submit a possible joint resolution for the merger of the Madisonville Independent School District and the Hopkins County School District.

I am very glad to do this as a last gesture toward bringing about a situation that will come about sooner or later in the opinion of the best educators' thought on the matter. I say it is the last gesture because the Hopkins County Board of Education must start the construction of a Central High School of its own in the coming spring.

Please find attached the resolution, and I suggest that this be studied by the boards without any publicity whatsoever. If the boards are inclined to think favorably of the merger, a representative of the State Department of Education should be called in to meet with the boards in joint session.

There would be no point to any publicity if the two boards are not favorable to the proposition.

Very truly yours,

H. W. Wilkey"



Speech made by H. W. Wilkey, Superintendent of Hopkins County Schools, to his Board of Education, February, 1950, follows:

"I must speak as a patron and as the Superintendent of the county system. Then, let me say that I speak as a taxpayer in our American Democracy who seeks to perpetuate the American way of life by providing the kind of schools that will aid the most children to find their places in life as producers and as citizens.

"Life changes and we must ever be probing for weak spots in our school systems if they are to serve a purpose. School systems are governed by the laws of change just as other things are. They must go forward or backward. Even if they could remain static, they would appear to be going backward as life sweeps on.

"Although it is impossible for people to arrest the law of change there is a tendency to resist. Perhaps it all originates in our rebellious attitude toward growing old, because the older we get, the more we resist change. I jokingly told a friend that if the inmates of Hades were to vote on staying or leaving, there would be some who would scratch their heads and say, 'Well, we admit that this is a hell of a place, but how do we know we wouldn't be worse off if we left. We won't take a chance.'

"Now, let's see how it came about that we, as a county, are cut up into independent districts and a county district. Years ago before we had roads and automobiles, cities and towns began to want high schools. Finally, the legislature enacted a law which enabled them to levy an extra tax for that purpose. So, one by one, they laid out certain boundaries and levied this extra tax. Then, small communities said they wanted their children to have a high

school education. Well, they couldn't have much high school without more money, but they did provide a teacher where twenty-five or more pupils could come together. Then came good roads, transportation, and consolidation. Counties tried to carry on at the same tax rate with ever-increasing demands for greater service. They got in pretty bad shape before the legislature raised their tax rate limit to the same as the independent districts. Now, the counties are gathering up loose ends and many of them are in better shape than many independent districts. But we still have the boundaries. When I was a boy my father had sheep. I used to amuse myself by playing a joke on them. If I found them in a barn, I would place a barrier across the door that would force them to jump in order to get out. A brother would frighten them. The first sheep would sail over the barrier and then I would let it fall to the ground, but don't you know that every sheep that came out would jump the barrier that was no longer there. We are still jumping a barrier that no longer exists. The barriers that exist now are superficial. They are jealousy, selfishness and lack of knowledge. Sometimes they are found in school people who mislead others or play upon their selfishness. To my mind, a person who acts upon a selfish impulse when he or she suspects that the best interests of children lies otherwise, is a murderer. That person murders the child's opportunity for a full life. That person, to whom an innocent and helpless child looks for help, responds to his or her trust by stabbing the child's opportunity in the back. I have more respect for a man who goes out and shoots down another man who can defend himself.



" Now, let me review the county problem.

"In 1935 a survey was made by the State Department of Education. They set up a plan for a number of consolidated elementary schools and junior high schools and two senior high schools. Behind this plan is a philosophy that high school pupils should have a broad program that a small high school cannot support. We must work to that end whether we like it or not. We must have approval on building plans and there is the control the department exercises, but I wholeheartedly agree with the philosophy.

"The question we have to decide now is simply this: Shall Hopkins County build one of its high schools on the McLaughlin site or shall we have a merger with Madisonville?

"The county can go out there and start a rival high school. They'll probably try to do everything bigger and better. They'll spend a great sum of money in duplicating things Madisonville now has. The result will be that with greater financial strain, neither district will have fifty years from now what they both could have within two or three years by merging and have it with less strain. The county can go out there and build over a period of years. But there will be waste in duplication that could go into a music department, more shop, a larger cafeteria, a junior high school, better pay for teachers, than either district can have otherwise.

"You are going to ask questions. Now, I want to ask you one or two. Does that little imaginary line that bounds the Madisonville District have any sacredness? Is the child that lives just over the line any less dear to you?

"I love Madisonville. To me it is probably the best town on



earth. The people out in the county love Madisonville. They probably love the town as much as many people who live in it. But let me say this—that Madisonville can only thrive and progress in the same ratio that the county thrives and progresses. Madisonville is more dependent upon the county than the county is dependent upon Madisonville. But for us to dwell upon such a question as this is silly. We put ourselves in class with the man who prayed, 'Oh, Lord, save me my wife, my son, John and his wife, just us four and no more.'

"This merger will not be a cure-all. It will raise the common level above either of the present levels, but it will give each district much more for each dollar spent.

"I see Hopkins County as a community. Scattered about over this community are some fine elementary and junior high schools. They compare favorably with those of large cities. They serve as sub-centers for different sections of our Hopkins County communities. ~~They have all the attractions in the way of educational and~~ recreational activities that they now have and then some. I see two or three senior high schools with broad and enriched programs. I see children coming-up through fine elementary and junior high schools and touching things here and there and finding something that sends a thrill vibrating through their beings, a thrill that will signify that they have found the thing that will lead them to the most satisfactory and useful life for each individual according to his talents. I see them coming into contact with the finer things of life that make life more meaningful and fuller. These children are not lost upon barried fields where only a few find by

accident the thing that gives the thrill. They are being led into green pastures of opportunity where it should be an accident if they fail to find their places. I don't see so many of them growing up to become unhappy misfits. I don't see so many of them growing up to become wards of the state in some fashion.

"That's the dream of school teachers whose capacity for dreaming exceed their capacities for achieving. Sometimes we have had doubts about this merger proposition. Then, we go back to people who should know. We go to people with board experiences, to text book writers on school administration, and to leaders on up to the National Commissioner of Education, and we come back with the same answer. If we are wrong, we are certainly in distinguished company.

"A man told me a few days ago (and this man has been in the Department of Education for many years) that this merger would be the greatest thing that has happened in education in Kentucky within the past twenty-five years. The merger will influence many other districts where selfishness and jealousy keep a crying need from being realized. Of course, we have county units in Kentucky, but our situation is different. We know that a merger of Fayette and Lexington has been left up to the superintendents to work out. We know that Louisville and Jefferson County are having serious problems. Much of the city of Louisville is now in the county district. They will get around to a merger. The same is true of Owensboro and Daviess County.

"Sometime ago in one of our many discussions Mr. Gatton asked me to draw up a resolution which would serve as a basis for discussion. He made no suggestions as to what I include in that



resolution. In that resolution I suggested that he be made superintendent of the merged districts. That was not just a self-sacrificing gesture. It was a cold impersonal appraisal of the situation. Mr. Gatton, to state the facts, has been a successful school man for many years. Furthermore, he is widely known among business and civic leaders of the state. The fact that he heads the merger will have a good influence throughout the state. People, where this crying need exists, will begin to ask, 'Why don't we get together instead of bickering and wasting at the expense of our children. Look what Madisonville and Hopkins County have done.' But, my friends, our real reward shall be when we see the children of the future turn to look back and say, 'Thank you for thinking about us.'"

Both boards decided to give serious study to the merger of the two systems. They came to this decision after agreeing on three things:

1. All children of Hopkins County are entitled to equal educational opportunities.
2. The merger would not lower the standard of the Madisonville schools which standard has been high as any in the State of Kentucky for many years.
3. The merger would result in great savings to the tax-payers.

The Madisonville Board of Education outlined the advantages and disadvantages as they saw them. That statement was published in the newspapers with a ballot attached. Copies were printed and each child in the Madisonville Schools was asked to take one home and request their parents to vote as to whether or not they approved the merger and sign the ballot. The vote was four to one in favor of the merger. During all these proceedings the newspaper gave full publicity to the matter and no opposition manifested itself, insofar as either the Hopkins County Board or the Madisonville Board had any knowledge of. A copy of the statement, and the ballot follows:



APRIL 17, 1950

## To The Legal Voters Of The Madisonville School District:

### *The Financial Crisis In Our Schools*

The Madisonville Schools are still credited by the Southern Association of High School and Colleges. This standing cannot be maintained unless we secure more money for current expenses. There is now pending a 30% increase in the assessment of town lots and improvements which may or may not be allowed. But if allowed will only temporarily relieve our financial situation.

New Jersey spends \$260.80 each year per pupil in average daily attendance and ranks 1st among the forty eight states in this respect. Kentucky spends \$122.05 and ranks 40th. In Kentucky, Bardstown spends \$262.65 each year per pupil in average daily attendance and ranks first among the 237 school districts in the state. Madisonville spends \$88.60 and ranks 224th. Other Kentucky school districts and the amounts they spend per child in average daily attendance are Greenville, \$101.89; Princeton, \$112.61; Henderson, \$116.97; Hopkinsville, \$118.93; Owensboro, \$151.13; Louisville, \$249.72. This condition in Madisonville exists because of low local assessment and a high number of children. Although the Board spends 73.28% of all its income for the salary of teachers and principals, the average annual salary of our fifty women teachers is only \$1,544.19.

Aid for schools from the Federal Government has failed to materialize. Our state legislature in 1950 increased the common school fund from \$21,500,000 to \$24,500,000 for the 557,000 school children in Kentucky, whereas Tennessee provides \$47,000,000 for her 634,000 children. The only source left for increased school funds in Kentucky is at the local level. The State Department of Revenue states that while the property in Kentucky as a whole is assessed at 54% of its true value, the property in Madisonville is assessed at only 24% of its true value. With the estimated 25% increase in school enrollment that will come in the next five years this condition is serious indeed.

### *The Madisonville and Hopkins County Schools*

There are seven white high schools in the Hopkins County system and one in Madisonville, or a total of eight, exclusive of Earlington and Dawson Springs. For a number of years the county school administration has considered the erection of a central county high school in or near Madisonville. Early in 1949 the suggestion was made that the two boards operate a consolidated high school at the present Madisonville site. The State Department was consulted, and it wrote on February 8, 1950, "I doubt if your plan will work—a more permanent plan would be a merger of the Madisonville and Hopkins County systems under one board."

In 1948 experts surveyed the schools in Shelby County and Shelbyville, and in Fayette County and Lexington. In both cases a merger was recommended for the sake of economy.

### *A Plan for Study and Consideration*

The administration of the Hopkins County Schools decided that before they spend from a half to three fourths of a million dollars for a high school for county children in or near Madisonville that a merger with Madisonville should be studied. So the two superintendents have had numerous conferences to determine if a merger would be to the advantage of both systems.

Under a simple plan, the Hopkins County and the Madisonville Boards would by resolution merge into a single Board effective July 1st, 1950. All ten members of the two Boards would serve until January, 1951. The county and city would be divided into five districts and eventually one member would be elected from each district. From January 1, 1951, to January 1, 1953, the Board would consist of seven members and three advisory members. After 1953 there would be only five members on the Board. A plan as submitted by the two superintendents would result in a political division of the county and city into five districts, which would probably result in the election of at least three school board members from Madisonville.

The merger resolution would also provide that Harper Gatton be elected superintendent for four years and that H. W. Wilkey be elected assistant superintendent for the same period.

### *Under The Merger Plan*

1. With the present enrollment in both systems the total number of teachers would be reduced from 199 to not more than 184 at an annual saving of at least \$22,000.
2. There would be danger that some future legislature would change the law so that the superintendent would be elected by popular vote.
3. The plan would make available to more students a broad high school curriculum without schedule conflicts.
4. Junior high schools composed of grades 7-8-9 would be continued at the locations of the present county high schools. The Nortonville senior high would be continued. The present Madisonville high school with

300 in grades 10-11-12 would be enlarged to care for 600 senior high school pupils in grades 10-11-12 from Madisonville and several of the present county high schools. A new junior high school would be built near the Madisonville high school.

5. With some expansion the present auditorium, gymnasium, cafeteria, athletic plant and shop would serve all junior and senior high school pupils, or about 1025 children at Browning Springs. To carry out these plans as outlined in the merger, holding company bonds could be issued to the amount of approximately \$575,000.00. If the county builds a separate high school plant all of these facilities would be required in their building plans. These duplications would be extremely costly and would result in two completely equipped high schools in Madisonville.

6. A great music and athletic program would result.

7. A stronger trade school for high school pupils could be established.

8. The trend is toward consolidation of school districts.

9. According to the county superintendent the transportation cost would not be increased by the merger.

10. Tuition problems would be eliminated.

11. Madisonville would be required to use state selected textbooks whereas our schools now select their books, which your Board considers an advantage.

12. The cost of tax collections would be slightly more in the city.

13. The merger of high schools could not be completed until September, 1951.

14. If the merger is made, it would be permanent.

15. Politics plays no part in the operation of the Madisonville schools. Experience shows that there is danger of political influence in county wide systems.

16. As patrons you realize that as a result of a larger student body, competition in all school activities would be keener.

*Conclusion*

This question of merging the two systems must be decided soon. The Madisonville Board of Education presents to you these facts so that you may be informed. The Board would like to have your opinion in making a decision. There will be an open meeting at the Madisonville High School at 7:30 P. M. on Friday, April 21, 1950, where the plan will be discussed. You are invited and urged to attend.

In order that the Board might know the views of the legal voters of our district in this matter, ballots are provided at the bottom of this page. Think this matter over carefully. All voters are urged to vote. Additional ballots may be procured at the office of the school superintendent. Sign your name and address and return to school by your child or mail to Harper Gatton. No ballots will be counted that do not show name and address. Although the Board recognizes that it holds the legal right to make the final decision, it does not feel like it has the moral right to act upon a question of such vital importance without an expression from the people.

Respectfully,

THE MADISONVILLE BOARD OF EDUCATION

BALLOT

DO YOU FAVOR THE MERGER OF THE HOPKINS COUNTY AND MADISONVILLE SCHOOL DISTRICTS?

Write YES or NO \_\_\_\_\_

Write NAME \_\_\_\_\_

And ADDRESS \_\_\_\_\_

BALLOT

DO YOU FAVOR THE MERGER OF THE HOPKINS COUNTY AND MADISONVILLE SCHOOL DISTRICTS?

Write YES or NO \_\_\_\_\_

Write NAME \_\_\_\_\_

And ADDRESS \_\_\_\_\_



On June 10, 1950 the joint Board met with representatives of the State Department of Education, and the merger, after full discussion, was voted to take effect on November 10, 1951 (complete minutes of June meeting are included). This action was also given full publicity and no opposition manifested itself.

In the merger resolution it was provided that there would be two senior high schools, tenth, eleventh and twelfth grades in the school system, one at Madisonville and the other at Nortonville. The resolution omitted mention of Dawson Springs after it was pointed out that the district was not yet a party to the merger.

(It never was the intention of either Board of Education to transport elementary or junior high school pupils away from the other school centers to Madisonville, Nortonville, or Dawson Springs. The only children to be transported from other schools were those in grades ten, eleven, and twelve, and the rooms now occupied by those three grades were to be filled with additional elementary and junior high school pupils).

The resolution also provided that the South Hopkins County High School at Nortonville would be brought up to an accredited standing with the Southern Association of Colleges and Secondary Schools.

Since the merger could not be made fully effective until additional class-rooms were provided at Madisonville each Board retained Mr. Lawrence Casner as architect, and Superintendent Gatton acting for the Madisonville Board and Superintendent Wilkey acting for the Hopkins County Board, still keeping their respective Boards fully informed, proceeded to work with the architect and representatives of the State Department on plans and specifications.

Time was important, since to fully effect the savings anticipated,

the additional space must be ready for occupancy by September 1, 1951.

After the merger was effected on November 10, 1950, both Boards met in joint session and proceeded to organize as one Board. A building committee was appointed consisting of Superintendent Gatton, Assistant Superintendent Wilkey; J. C. Riddle, Chairman of the Board, and H. A. Jackson, Vice-Chairman. Plans and specifications for the additions to the North Hopkins High School located in Madisonville, were approved. The architect was authorized to advertise for bids to be opened on January 25.

All of these proceedings were given full publicity and there was still no opposition from any persons on the merger, and had not been at any time excepting a possible protest by a small group who visited the office of the Assistant Superintendent at a time when he was in Marion. On the other hand, during all this time, we had groups and individuals expressing their approval of the plan. As further proof that people recognize the advantages of this plan, the county already has more county children enrolled in the Madisonville Senior High School than are enrolled in any one of the county schools except Nortonville, and these children and their parents have been making sacrifices to further their own transportation and paying tuition, even though the parents are taxpayers.

The building committee met with a delegation from South Hopkins County in regard to plans for additions to the South Hopkins County High School. There was honest disagreement as to the minimum requirements and frank discussion of the matter. By exchange of ideas the Building Committee finally decided on the following improvements for the South Hopkins County High School:

1. Renovate the old classroom section of the building by sanding the floors in the classrooms and laying rubberized tile



floors thereon.

2. Put asphalt tile floors on the concrete halls.
3. Repair plaster and paint walls.
4. Build four classrooms 20 by 30 feet.
5. Build two classrooms 20 by 60 feet to be used as a library, lunchroom, or for domestic science, or as they could be most efficiently utilized on the recommendation of the school administrators.

The Minutes of the June 24, 1950 meeting of the Hopkins County Board of Education follows with the exact merger:

"MINUTES OF MEETING OF  
HOPKINS COUNTY BOARD OF EDUCATION

"This legally called meeting of the Hopkins County Board of Education met at 9:30 A.M. on June 24, 1950, after being duly called by the Chairman, Mr. D. E. Pool of said Board of Education.

"The purpose of this meeting as stated in the call was to consider the advisability of a merger of the Madisonville Independent School District and the Hopkins County School District, in accordance with authority of Section 160.040 KRS and to take whatever action in connection therewith seems to be to the interest of the children and taxpayers of Hopkins County.

"After considerable discussion and deliberation, Mr. D. E. Poole introduced the following resolution:

'WHEREAS, the members of the Hopkins County Board of

Education feel a deep sense of responsibility for the educational opportunity of the children throughout the county, and,

'WHEREAS, many school districts in the state of Kentucky are finding it increasingly difficult to maintain creditable schools within the funds available, and,

'WHEREAS, the financial situation and the accredited relationships have been such as to make a lengthy and thorough study of the problems confronting our Board of Education desirable, and,

'WHEREAS, this Board did not end its investigation with its own problems, but studied the results of surveys made by efficiency experts such as Griffenhagen and Associates, who made surveys in Lexington and Fayette County and in Shelbyville and Shelby County, as well as the conclusions reached in various surveys made by educational authorities, and,

'WHEREAS, our investigation of the various surveys, the trend in law-making over a period of many years, the attitude of State Departments of Education and the trend and regulations set up by colleges for accrediting schools furnish overwhelming evidence that a merger of the two school districts would provide the opportunity for obtaining greater value for each dollar spent, and,

'WHEREAS, a great waste in the duplication of facilities can be avoided, in our opinion, by a merger of the Madisonville Independent District and the Hopkins County District.

'NOW, THEREFORE, be it resolved, after careful consideration



of the problems involved, and with equal regard for the welfare of all the children and tax-payers of the entire county, that the Hopkins County School District and the Madisonville Independent School District be merged in accordance with authority of Section 160.040 KRS under the following listed conditions:

1. That the present Madisonville School District shall remain a special consolidated area for the purpose of collecting the voted tax to retire present outstanding bonds of the Madisonville District in the amount of \$102,000.00. It is understood that in the future funds for new buildings will be taken from the school receipts of the merged district under the direction of the Board of Education.

2. That the members of each Board or the members elect shall serve out their terms or until their successors are qualified, and the elections of Board members in the new divisions shall be in the regular election of 1952 at which time members shall be elected from Divisions 1, 3, and 5, and in 1954 elections shall be held in Divisions 2 and 4.

3. That the new divisions from which Board members are to be elected shall be as follows:

Division One - Approximate Number of Voters 4,172  
East White Plains, West White Plains, East Nortonville, West Nortonville, West Mortons Gap, Oak Hill, Moss Hill, Barnsley, Daniel Boone, East St. Charles, West St. Charles, South Ilesley, North Ilesley, South Earlington.

Division No. Two - Approximate Voters 4,666  
Church, North Earlington, City Hall, in Earlington, School

Earlington, Arboretum, Flat Creek, Pontiac, Power House,  
Court House, High School, Lake.

Division No. Three - Approximate Voters 3,505

City Hall Madisonville, Jamestown, Bassett, Elk, Anton, East  
Hanson, Howell, Ashbyburg, Old Salem.

Division No. Four - Approximate Voters 4,977

Kitchen, Richland, Rosecreek, South Nebo, East Dalton, West  
Dalton, Charleston, West Dawson, East Dawson, South Dawson,  
Silent Run.

Division No. Five - Approximate Voters 3,429

West Hanson, Highland, Armory, Mill, Depot, Manitou, North Nebo,  
Cox's Store.

"4. That the merged Board of Education follow the recommenda-  
tions of the survey of Hopkins County Schools made by the State  
Department of Education in establishing the schools listed in  
this item;

"That these schools as listed shall operate for such a  
period of time as in the judgment of the Board of Education  
seems wise;

- (a) That two senior high schools for white children should be maintained for grades ten, eleven, and twelve, one of which should be located at Madisonville and one at Nortonville,
- (b) That eight junior high schools for white children be maintained for grades eleven, eight, and nine at Madisonville, Nortonville, Dalton, Anton, Hanson, Nebo, Mortons Gap, and Charleston,
- (c) That consolidated elementary schools for white children should be maintained for grades one, two, three, four, five, and six at Waddill Avenue, Hall Street, Seminary Street schools in Madisonville, and at Nortonville, Anton, Mortons Gap, Dalton, Nebo, Hanson, and Charleston,



(d) That consolidated elementary schools for white children should be maintained for grades one, two, three, four, five, six, seven, and eight at St. Charles, White Plains, Ilesley, and Grapevine, and at such other places as the Board may deem necessary.

"5. That schools for colored children shall be maintained as listed in this item for such a period of time as in the judgment of the Board of Education seems wise;

(a) Junior and Senior High School for grades seven, eight, nine, ten, eleven, and twelve at Madisonville.

(b) Elementary schools for grades one, two, three, four, five, six, at Madisonville, and at such other places as the Board may deem necessary.

"6. That all senior high schools maintained shall not only meet the standards of the Association of Kentucky Colleges and Secondary Schools, but shall, within a reasonable time, also meet the standards of the Southern Association of Colleges and Secondary Schools.

"7. That during the school term of 1950-51 all schools shall operate as already set up by the respective Boards of Education.

"8. That Harper Gatton shall be and he is hereby elected Superintendent of the merged district for a term ending on June 30, 1954, and his salary shall be \$6,000.00 per annum, and said salary shall be paid out of the budget set up by the present Madisonville Board of Education for the fiscal year ending June 30, 1951, and from June 30, 1951, until the expiration of his term he shall be paid out of the combined budget.

"9. That H. W. Wilkey shall be and he is hereby elected Assistant Superintendent of the combined district for a term ending on June 30, 1954, and his salary shall be \$5,000.00 per annum, and said salary shall be paid out of the budget set up

by the present Hopkins County Board of Education for the fiscal year ending June 30, 1951, and from June 30, 1951, until the expiration of his term he shall be paid out of the combined budget.

"10. That Compton C. Crowe, the present Director of Attendance of the Hopkins County District, shall be and he is hereby elected Director of Attendance for the merged district for a term ending June 30, 1954, and his salary shall be \$3,900.00 per annum, and said salary shall be paid out of the budget set up by the present Hopkins County Board of Education for the fiscal year ending June 30, 1951, and from June 30, 1951, until the expiration of his term he shall be paid out of the combined budget.

"11. That Sallie Woodward, the present Bookkeeper and Treasurer of the Hopkins County Board of Education, be and she is hereby elected Bookkeeper and Treasurer of the combined district for a term ending June 30, 1952, and her salary shall be \$1,800.00 per annum, and said salary shall be paid out of the budget set up by the present Hopkins County Board of Education for the fiscal year ending June 30, 1951, and from June 30, 1951, until the expiration of her term she shall be paid out of the combined budget.

"12. That Harper Gatton shall be and he is hereby elected Secretary of the combined district and that Jeanne Shelton shall be and she is hereby elected as Secretary to the Superintendent for a term ending June 30, 1954, and her salary shall be \$1,680.00 per annum and said salary shall be paid out of the budget set up by the present Madisonville Board of Education



for the fiscal year ending June 30, 1951, and from June 30, 1951, until the expiration of her term she shall be paid out of the combined budget.

"13. Because action in this merger on this date cannot make it legally possible to hold an election in the Divisions for electing Board Members as stated herein at the next regular election, and because it is the belief of this Board that it would be unwise to make any change in the membership of the merged Board of Education as provided herein for a period of two years of the merger, and with the further desire on the part of this Board to keep in its membership the members elected at the next regular election, this merger shall not become effective until November 10, 1950.

"14. On that day a meeting of this Board is hereby called to meet in its regular meeting place at ten o'clock A.M., Central Time, for the purpose of organizing the new Board of Education, and to perform any other duties which may properly come before the merged Board on that date.

"Motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_

that the resolutions set out herein be adopted.

"Upon roll call the members voted as follows:

Unanimously."

## CHAPTER IV

## THE OPPOSITION AND COURT PETITIONS

## 1. The merger in Operation

The Hopkins County Board of Education presented the following resolution on February 10, 1951:

## The Resolution

"A RESOLUTION ADOPTED BY THE FISCAL COURT  
OF HOPKINS COUNTY, KENTUCKY

"WHEREAS, the Board of Education of Hopkins County Kentucky, has heretofore publicly advertised for and received competitive bids for the construction of improvements and additions to the high school building at Madisonville, and also to a school building at Nortonville, such building program having been approved by the Superintendent of Public Instruction of Kentucky, and,

"WHEREAS, representatives of said Board of Education have now appeared before the Fiscal Court, having requested that the Fiscal Court cooperate with said Board of Education in the issuance and sale of school building revenue bonds pursuant to the authority of KRS 162.300, having tendered an offer by said Board of Education to convey to Hopkins County the school sites involved to the extent that title is not already vested in said County in connection with the issuance of similar bonds in the past and have tendered the offer of said Board of Education to lease the school properties as contemplated and required by KRS 162.140 so that Hopkins County will receive rentals sufficient to pay the bonds and interest thereon as the bonds and coupons mature from time to time, and

"WHEREAS, said Board has represented to the Fiscal Court that



the best bid received for the contemplated construction is that of Ruby Construction Company, Madisonville, Kentucky, in the sum of \$                    not over \$750,000.00, and has requested that the Fiscal Court accept said bid, it being understood that all construction costs will be paid from the proceeds of the above mentioned school building revenue bonds and that said proceeds will also be applied at the proper time to the redemption of certain outstanding school building revenue bonds,

"NOW, THEREFORE, THE FISCAL COURT OF HOPKINS COUNTY, KENTUCKY, DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:"

The Hopkins County Fiscal Court by a majority vote decided to not allow the issuance and sale of school building revenue bonds to the Hopkins County Board of Education.

A minority group of citizens who did not believe in the merger seized this opportunity and organized themselves into a group named "We, the People." They used the local newspapers and radio to try to make the merger unpopular.

Mr. H. W. Wilkey, County Superintendent, answered their propaganda on the radio and in the newspapers with the following speech:

"H. W. Wilkey

"Q. What, in brief, were the ideas or situations that led to the merging of the Madisonville and Hopkins County Districts?

"A. The board underlying thought was that the entire county should be one district under one administration. The merger will prevent waste in duplication of certain facilities and personnel and will enable the former districts to have a better school program than would have been possible for either for many years. The County

had more urgent reasons in the form of sub-standard high schools.

"Q. Is this merger idea peculiar to Hopkins County and Madisonville?

"A. No, many mergers have already been effected in Kentucky. Our State Department urges such, and our laws make mergers attractive. This move is not confined to Kentucky. Some states accomplished a complete job by legislative act. The National Educational Association had a study made in which it was concluded that the elimination of small districts and the consolidation of small high schools, too small for anything but a merger curriculum, is the crying need and that we cannot with good grace ask for more money to support inefficient and expensive small high schools.

"Q. Do I understand you to mean that the merger will enable the county to improve its high school program?

"A. That is correct. I think we can have a better program for all, and all children of the county will have equal opportunities.

"Q. How many high schools in the county?

"A. We have nine white high schools, including Madisonville, Earlington, and Dawson. We eliminated the upper three grades at Anton this year by bringing them in to Madisonville under our merger. There were thirteen so-called high schools in the county at one time. The four high schools that have already been eliminated had as much reason for existing as some we have now but they were so located and the buses so routed that their enrollments made it necessary to discontinue them.

"Q. You mean they were thrown off the accredited list on



account of a small enrollment?

"A. White Plains and Anton were thrown off, but the other two never got on the list at all. The other two were located at Ilsley and Richland. Dalton and Nebo have also been placed on the emergency list at various times. I believe Mortons made that list at one time.

"Q. What do you mean by the emergency list?

"A. When schools should be taken from the accredited list our boards of education plead inability to better the situation at the time, but promise to improve the situation in the future, such schools may be given emergency ratings.

"Q. What do you mean by improving the situation?

"A. It generally means the moving of a small group of students to a larger unit.

"Q. Why didn't you get emergency rating for White Plains and Anton?

"A. We did for several years. We were finally told that we had no excuse for not sending the few students from White Plains to Nortonville, and the people of Anton wanted no emergency high school after the merger. The upper three grades came in to Madisonville. Now we have very good elementary schools at both places.

"Q. How long has this emergency situation existed?

"A. Since the minimum number of sixty was set, and that must have been about 1937 or 1938.

"Q. What excuse have you given for not doing something before now?

"A. We had no trouble showing financial inability before the war, and then the war served as a good excuse for some years.

"Q. Could the board have shuffled the bus routes a bit and given Anton a sufficient number to retain the school on the accredited list?

"A. Yes. If it had transported all children living nearer to Anton than to Nebo, Dalton and Hanson, we would have had a large school, but those schools would then have been reduced below the 60 mark in the upper four grades.

"Q. Explain that statement.

"A. A bus from Hanson comes up the Brown road picking up children in that densely populated area; it then proceeds through Madisonville to the Hanson Road and starts picking up at the underpass and proceeds on to Hanson. Another bus picks up children from Sentry Mine to Madisonville, passes by the Madisonville High School, and proceeds on to Nebo. It comes back to Burnett Word's Tourist Camp and starts picking up another load. Then the Dalton bus comes up the Princeton Pike to the outskirts of Madisonville. A feeder bus comes out from Pleasant View and the end of Broadway. Dalton's enrollment is up to 64 this year, but three of the 64 are over-age and we do not get per capita on them. We are transporting many children to Dalton who live nearer Madisonville and Charleston than they do to Dalton.

"Q. How have you been able to get them to go to Dalton instead of Madisonville?

"A. By refusing to pay their tuition and giving them no transportation to Madisonville, but some of the more prosperous have



been sending their children to Madisonville anyway, and paying their tuition.

"Q. That doesn't seem exactly right that a man must pay school tax and tuition also, does it?

"A. No, and it doesn't seem right that the less fortunate are compelled to send their children to an inferior school. The merger rights both wrongs.

"Q. I understand that new buildings have been constructed at Anton and Dalton. Were they sufficiently large to take care of a high school?

"A. They were not.

"Q. Why?

"A. No school building can be constructed without the approval of the State Department. The department would approve no more than the room necessary for the consolidated elementary school. I know they meant what they said because I had just witnessed the Onton case where much pressure was put upon the department to approve the rebuilding of a small high school that burned. I might say that the same thing would be true of other places designated as elementary centers in the survey made some years ago. Only a great shift in population would cause the department to deviate from that survey. But suppose we were allowed to build on many of the present buildings where we are desperately crowded and then that 60 figure is raised to 100 as we are informed will likely happen soon? We would then be saddled with a debt and many non-accredited schools. We would really be in bad shape.

"Q. Don't you think the State Department is arbitrary in this matter?

"A. I used to think so. I started out as a superintendent with the idea that we could have a good little high school in every community. I worked hard to make them that way. I am convinced now that the text book writers on school administration and our own State Department are very much right when they say that a small high school can offer only a very meager program. When I became superintendent our little high schools had only the poorest program. Only one school had vocational home economics and one school had a shop with a few cheap tools. We put in five vocational agriculture departments, another vocational home economics department, six commercial departments, and encouraged the teaching of foreign languages, Latin, chemistry, physics and other subjects. We have extended ourselves to provide instruction of music. These efforts have been regarded with too little success.

"Q. Could you explain the reason for your lack of success?

"A. It's the same story that can be told of all small high schools. Take our little school at Dalton for example. We tried to establish an agriculture department there but a survey showed that there were not a sufficient number of boys who would benefit to justify the department, and the Vocational Department would not approve it. That meant that we could not obtain financial aid for such a department. We have no physics, chemistry, or music taught in the high school because we cannot afford the laboratories and teachers for the small number who would be in the classes. We do have a small commercial department there. The same story with variations can be told of all small high schools. We have lost all but one of our vocational agriculture departments on account



of small numbers enrolled; we only have one vocational home economics department; and only one school attempts to offer physics and chemistry. Our music program in high school is poor and we have no trade schools.

"Q. Do you feel that the merger will allow these deficiencies to be corrected?

"A. The merger was the final and best answer to our problems.

"Q. Were there other possible solutions?

"A. Yes, the first idea was two county high schools without regard to any independent district. We found the cost of that program almost prohibitive. The second idea was a partnership school without merging with Madisonville, and another high school in the south end of the county. We worked on that plan for some time and seemed to be approaching agreement but the State Department of Education informed us that they would approve nothing short of a complete merger. Then we went back to the first plan of two county high schools, one to be located near Madisonville and the other to be near Nortonville. We obtained a site for the north county high school through the generosity of Benjamin McLaughlin, but estimates of the cost were even higher than when we first made our estimates. After a great deal of discussion and publicity, Madisonville Independent District agreed to merge; that gives us an opportunity to develop the ideal school system in the county with the least effort on the part of the tax-payers.

"Q. Do you mean that the county would have been forced to consolidate in some way?

"A. That is correct.

"Q. Now just what is meant by accredited schools and what is the penalty for operating non-accredited schools?

"A. There are two associations which accredit high schools. We have the Southern Association of Secondary Schools and Colleges, which rank our high schools and those schools accredited by this association may send their graduates to any school in the entire south and for that matter to almost any school in America without taking entrance examinations. Madisonville is the only school in the county meeting the standard of this Association. Then we have a Kentucky Association of Secondary Schools and Colleges, which rank schools into A, B, and non-accredited. Students graduating from schools accredited by this Association may enter colleges within the state without examinations. As I have said before, our schools, with the exception of one, fell into the lowest accredited group or the non-accredited. The penalty for operating such schools could be the withholding of state per capita from our school systems. Generally, the state gives an emergency rating when the school authorities in a district are making an effort to better their situation. I do not think the state would hesitate to withhold state per capita from a school district which deliberately refuses to better itself when it can do so.

"Q. Just what is proposed by the school authorities in Hopkins County?

"A. We propose to maintain elementary and junior high schools at Nebo, Hanson, Anton, Mertons Gap, White Plains, Nortonville, St. Charles, Charleston, and Dalton. We propose senior high schools at Madisonville and Nortonville, and one in the Dawson-Charleston



area. We will also maintain a colored senior high school at Madisonville. This set-up will give us the opportunity to have the very best elementary and junior high schools in these various communities and will certainly provide the best possible opportunities for our children in high school. We propose that all three senior high schools will meet the standards of the Southern Association of Secondary Schools and Colleges.

"Q. How far have you progressed on this program?

"A. We have the necessary buildings in all communities for elementary and junior high schools and we only have to make additions to the high schools at Madisonville, Nortonville and Dawson or Charleston in order to complete the program.

"Q. Was it for the purpose of completing this program that you asked the fiscal court to issue the bonds upon which they have neglected to take action?

"A. That was the purpose of the bond issue."

In April, 1951, the Superintendent and Board of Education of Hopkins County sued the County Judge and Fiscal Court of Hopkins County for a declaration of their rights. The exact suit or petition is inclosed.

HOPKINS CIRCUIT COURT

Board of Education of  
Hopkins County, Kentucky, and  
Harper Gatton, Superintendent thereof,  
and J. C. Riddle, Ben Ashmore  
James F. Gordon, H. A. Jackson,  
Earl Brown, C. P. Purdy, West Whitfield,  
William Qualls, John Donan and  
Walter Wright, Members of said Board,

Plaintiffs

v.

## PETITION

Hopkins County, Justin Logan, Judge  
 Hopkins Fiscal Court and  
 Justices of the Peace, constituting  
 Hopkins Fiscal Court,  
 Vernon Knowles  
 J. A. Wyatt  
 Leslie Clayton  
 Luther Bowles  
 E. B. Bone  
 R. A. Howton  
 J. C. Yates

Lawrence Casner and  
 J. Edwin Ruby, Mabel A. Ruby,  
 Clyde Ruby, John F. Casner,  
 Maurice C. Reinecke,  
 Richard T. Durrett, partners  
 associated in the trading co-partner-  
 ship: Ruby Lumber Company,

Defendants

1. This is an action for a declaratory judgment, or declaration of rights, filed and to be prosecuted under the provisions of Chapter IV a, of the Kentucky Civil Code.

An actual controversy exists between the parties plaintiff and the parties defendant, the parties being interested in the construction, effect and application of various statutes of Kentucky, and the decisions of the Court of Appeals hearing thereon, as bearing upon the merger and consolidation of the Independent School Districts and the Hopkins County School District in the public interest in the situation and under the facts herein presented which are or may be involved, to the end that the entire rights governing all parties hereto, the status of plaintiffs and the public interests may and shall be fixed and adjudged in the private and public interest of the parties plaintiff and defendant, involved herein.

2. The Board of Education of Hopkins County, Kentucky, is and at all times to which reference herein is made, was a municipal corporation



duly created, organized, existing and acting under and by virtue of Chapter 160, Kentucky Revised Statutes, and with all the powers, duties and responsibilities conferred and imposed thereby. The following named plaintiffs are members of said corporation namely, J. C. Riddle, Ben Ashmore, James F. Gordon, H. A. Jackson, Earl Brown, C. P. Purdy, West Whitfield, William Qualls, John Donan and Walter Wright.

Justin Logan is the duly elected, qualified and acting County Judge of Hopkins County.

Hopkins County is a municipal corporation under the laws of Kentucky, subject to suit as such, with all powers granted or implied by Statute.

The members of the Hopkins Fiscal Court are named in the caption.

The members of the Hopkins County Board of Education are named in the caption.

3. For the past five years or more these have been under the jurisdiction of said Board of Education and by it maintained in Hopkins County, Kentucky, among others, five County High Schools, namely, Nortonville High School, Charleston High School, Dalton High School, Mortons Gap High School and Nebo High School, each and all of which are substandard, and not conducted, and for five years have not been conducted, in conformity with the published Regulations of the State Board of Education as requisite for the maintenance of a County High School; and by reason of said deficiency is and are not entitled to admission without examination to the first year classes of the University of Kentucky or other institutions of higher learning in and out of Kentucky, or to matriculate therein because of their substandard quality and condition, which fact ordinarily would require the closing of said High Schools; nevertheless, on account of an emergency requiring provision for the public education

of the pupils so enrolled, the said State Board, by grace, has permitted said substandard High Schools to remain open and to operate through the 1951 school year, and thus to be held forth to be accredited High Schools illegally, although except for said emergency and said grace accorded, said schools would not be accredited, or allowed to operate, and as a matter of fact are now illegally maintained and illegally accredited.

4. The principal or cardinal purpose of High School education is adequately to develop, educate and prepare and qualify students for entry into the first year classes of colleges and institutions of higher learning, and incidentally to enable decisions to be made by students and their parents as to the qualification and suitability of the particular students for profitable and economic college education, and for these purposes the State Board of Education (in concurrence with and by comity with institutions of learning in other states) has formulated and prepared and published as a part of the Regulations of said Board in effect in 1950 and 1951, having the force of law, "Accrediting Standards" to be found in Chapter VI, of the said Regulations styled, "Educational Bulletin," a printed copy of which issued by said State Board is herewith filed to be read as part hereof, marked "Exhibit A."

Said Regulations set forth the policies and requirements of said State Board of Education with respect to the requirements governing High Schools under its jurisdiction, and its standards for accrediting High Schools, and for their management, and for the allocation and distribution and contribution of State funds for the support thereof. Said Regulations are based upon the long experience of the State Board of Education and are in all respects reasonable.

For more than five years the State Board has censured and threatened



to discontinue State aid on account of the substandard condition of the High Schools of Hopkins County.

On account of said substandard conditions of said schools it has in fact been compelled regretfully and regrettably to cease to accredit and been compelled to suspend and discredit five other High Schools in Hopkins County on account of their substandard conditions, thus depriving several hundred worthy students of Hopkins County of the substantial benefits of a High School education, and after 1951 (except for the facts hereinafter stated) will regretfully and regrettably be compelled to deny accrediting and state contributions of funds to the support of the High Schools above named specifically.

Said substandard condition and quality of said High Schools named as measured by the published uniform Regulations promulgated Regulations of the State Board of Education, the supreme governing authority of the Commonwealth in respect to all matters of education and school, which Regulations (Exhibit A) have the force of law, consist among other notable deficiencies, of the following:

A. None of them (except Nortonville High School) employ seven full time qualified teachers, sixteen of the teachers actually employed holding emergency certificates only, not having the prescribed scholastic and college training and attainments for qualification as regular teachers, or for teachers certificates, as specifically required by Rule VIII of accrediting standards of said Regulations (page 1111-1112, Exhibit A).

The principal of one of said High Schools is so disqualified.

B. The pupil enrollment of each of said High Schools, (except Nortonville High School) while nominally on the beginning of the terms, perhaps, sufficient for qualification, under the Regulations, is in each case actually and in fact below the minimum enrollment established by

sub-paragraph C. Paragraph A, Section IV of accrediting standards (Page 7142, Exhibit A).

C. In no case is the principal of the other schools provided with qualified secretarial help. In no case does a principal hold a valid certificate in Administration and Supervision as required by Rule VIII in said Accrediting Standards (Page 1143, Exhibit A).

D. Sixteen teachers in said High Schools do not hold certificates legally valid for his or her position (Rule VIII supra). None of said teachers are assigned to teach in the fields of these major or minor training in college, where such college training has been had by them (Rule VIII, supra.).

E. No laboratory training is or can be available in either of said schools, as required in Rule IV.

F. No laboratory or shops have been provided, much less equipped, (as required in the Rule VI, Teaching Equipment). No housing or apparatus for any laboratory has been or can be provided at any of said schools.

G. The school buildings are not adequate nor proper to accommodate pupils or to carry out the Regulations or program of the school (as required by Rule VIII).

H. None of said High Schools have or have conducted a program in health or physical education (as specifically required by subsection 3 of Section F 3 of said Regulations, Exhibit A).

I. None of said schools can obtain or possess the number of books, library, librarian, library facilities or equipment (as specifically provided in Rule X).



5. All of said substandard conditions and deficiencies and others make it impossible efficiently, adequately and economically to provide for the education of the youth of the County. None of them are due to maladministration, but all deficiencies are really due to inadequacy of funds and money to maintain and operate such a large number of small high schools.

All taxes which can be levied for the support of the said disqualified and for the substandard high schools, have been levied at the rates allowed by Statute, and the realization of funds therefrom is insufficient for the operation and maintenance of said schools. All their resources, and sources of revenue, are exhausted. No other resources for the maintenance or operation of said substandard schools or the remedy of said deficiencies is available.

6. All but two of the named schools have from time to time been officially taken off the accredited list by the State Board and illegally reinstated by it provisionally and conditionally upon promise and hope of such consolidation of such schools as to make proper compliance with requirements possible.

7. The emergency above referred to under which the State Board of Education has permitted the substandard operation of said high schools no longer exists, because provision has been made, as hereinafter shown, to provide suitable educational facilities for the pupils in said high schools, and the State Board of Education will no longer tolerate the continuance of the operation of said substandard high schools.

8. The State Board of Education has found and declared, as is the fact that the school system of Hopkins County insofar as said high schools are concerned is inadequate, uneconomical and inefficient, in that the

enrollment therein is so miserably short of the reasonable standards established by law.

9. The State Board of Education, the supreme governing body of the Commonwealth of Kentucky with reference to all schools and matters of education has formally approved all of the proceedings of plaintiffs in all matters herein set forth.

10. On November 10, 1950, the Madisonville Graded School District, an independent school district, possessing a high school costing over \$600,000.00 with 41 acres of campus at or near the geographical and population center of Hopkins County, became and was merged by the mutual action of its governing body with the Hopkins County School District, and thus enabled proceedings and action to be taken looking to the proper accommodation and education of the pupils of said substandard high school districts by suitable enlargement of its plant and facilities with adequate provision for financing and efficiently conducting said enlargement and the operation of a general county high school.

11. Immediately said merger of said independent districts with said Hopkins County District, became effective in November, 1950; plans were formulated by plaintiffs and set on foot to make provision for said enlargement of said school facilities, and to build and increase the well equipped high school building and facilities of the Nortonville High School, now having a large and well equipped building and suitable site conveniently and centrally located at or near the convergence of U. S. Highway 60.

Said Nortonville High School has an enrollment of 840 pupils, and while not now adequately staffed with teachers, said deficiency can be supplied with the additions to be made, and it will have an expanded



capacity to accommodate the additional pupils so residing as to have convenient access to the same.

12. An emergency then existed for immediate action by the Plaintiffs to enlarge the existing facilities to take care of the pupils in the above five substandard and the five discredited high schools by placing them in schools at Madisonville and Nortonville in the 1951-1952 school years. To accomplish this expedition, if not haste, was necessary. Time was of the essence.

The Plaintiffs called in defendant, Lawrence Casner, a skilled and talented architect and engineer, the designer of numerous school buildings and Court Houses in Kentucky, and employed him to survey existing facilities and plan the necessary additions to buildings at Madisonville and Nortonville, and prepare specifications for the same.

13. It called to its aid the Bankers Bond Company, a reliable and leading financial concern long engaged in the preparation and sale of school bonds, and opened negotiations with it to finance the cost of the construction of said improvements under Chapter 160 KRS by the procurement and leasing of the school properties to be used as improved, and entered into a contract with it to prepare plans and to carry on said important financing operation.

14. On receipt and approval by the Plaintiff Board and by the State Board of Education of the plans and specifications as prepared by said Lawrence Casner, the plaintiffs advertised for bids for said construction on reasonable notice and received bids for same. It received and accepted as the lowest and best bidder, the bid of defendant, Ruby Lumber Company, a responsible trading co-partnership composed of the persons named as defendants herein. The amount of said bid was \$381,687.34 and said bid

being accepted Plaintiffs entered into a contract with said Ruby Lumber Company in good faith for the performance of said work. Said bid was not only reasonable, but low. The original of said contract, plans and specifications is herewith filed to be read as part hereof, marked for identification "Exhibit B."

15. The United States at all times referred to herein and since June, 1950, has virtually and in fact been at war, and engaged in extensive military operations overseas.

All the while due to said conditions the currency of the United States was and is depreciating in purchasing power, and building costs were and are increasing by leaps and bounds, and expeditious action was at all times necessary to get the buildings started before these conditions became more acute.

16. Immediately on making said contract defendant, Ruby Lumber Company, ordered and bought for delivery the necessary steel and other material for said construction at the then current prices, which current prices have since arisen daily and would now amount to \$13,000.00 to \$20,000.00 more than when bought if bought now, and if the orders for said steel and material are cancelled or deferred, the steel will not be obtainable at all or if obtainable the cost thereof will be immensely increased to the damage and injury of the defendant, Ruby Lumber Company.

17. The Plaintiffs freely confess and admit that under Chapter 162 KRS, the architect should have been selected by the defendant, the Hopkins Fiscal Court; that the plans should have been returned and submitted to the defendant, Hopkins Fiscal Court; that the plans and specifications should have been filed with the Hopkins County Clerk; that said Clerk should have advertised for bids and received same and that the



contract should have been let by the defendant, Hopkins County Fiscal Court, and executed by defendant, Justin Logan as County Judge; that the sites of said buildings should have been conveyed by Plaintiffs to Hopkins County and the Lease to be executed by the County demising same should have been proposed to and executed by Hopkins County.

Plaintiffs only excuse for neglecting these measures was the urgent need for speedy action in the premises, and it is ready if required now to take all of these steps, but if it shall do so much time will needlessly be consumed in litigation of the subject matter and great loss to Plaintiffs and Defendants will inevitably ensue

18. Plaintiffs state and claim that the defendant, Hopkins Fiscal Court, under the law has no power or discretion with respect to any of the steps above set forth which should as stated have been taken in order by the Plaintiffs; that the Hopkins Fiscal Court and Hopkins County are as said by the Court of Appeals of Kentucky, a "mere conduit" or blind agency acting automatically for the purpose of carrying out the proposed scheme and work, without any liability or responsibility for the steps or the work.

19. Defendant, Fiscal Court, is conceded the right to refuse to act with respect to any step if it shall find the conduct of Plaintiffs fraudulent or reprehensible or financially unsound, so as to endanger the loss of the property by failure to be able to meet the payment of rental and other demands upon it.

None of these features is present in this case. The financial plan proposed was well worked out and calculated with a substantial margin of safety to pay all of the Bond issue from.

20. Against this background it is now claimed by the defendants,

Justin Logan, County Judge, and the Hopkins Fiscal Court, that the merger and consolidation of the Board of Education of Madisonville with the Hopkins County Board was and is irregular, illegal and unauthorized by law. This the Plaintiffs dispute and contest thus presenting the controversy for the advice, judgment and action of the Court.

21. On this, the point in controversy, the Plaintiffs state and show to the Court that in the matter of said merger and consolidation of the Independent School District under the jurisdiction of the Board of Education of Madisonville with the Hopkins County District, they acted under, pursuant to and as authorized by Section 160.941 KRS, and 160.040.

(a) The said Board of Education of Madisonville on June 7, 1950, recorded in its Minute Book its desire to have its district become a part of the County School District.

(b) Said Board through its Executive Officer, J. C. Riddle Chairman, conveyed this request to the Hopkins County Board of Education.

(c) Thereafter at a special meeting of Hopkins County Board of Education held before its next regular meeting on June 26, 1950, passed upon said request in the form of a Resolution "that the Hopkins County School District and the Madisonville Independent School District be merged in accordance with Section 160.040 KRS," under certain conditions stipulated by it, all of which are or have been or will be met by Plaintiff.

(d) Said proposition of merger was originally suggested, promoted and was approved by the State Board of Education of Kentucky.

(e) And the same thus became effective.

(f) The sole impelling motive emerging about said merger and consolidation was to enable the Hopkins County School District and



the Hopkins County Board of Education to meet the requirements of the State Board of Education of Kentucky, for the reorganization of the high school system of Hopkins County to meet its requirements and accrediting standards.

WHEREFORE, the Plaintiffs, Board of Education of Hopkins County, Kentucky, and the members thereof, pray for the finding, advice and instruction of this Honorable Court as to their status and rights, and as to the validity of the merger or consolidation above recited, and for all proper proceeding and relief.

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Attorneys for Plaintiff

The opposition (We, The People Committee) hired a lawyer which filed reasons with Hopkins County Circuit Court why the merger should not be valid. A decision was rendered by Circuit Judge H. F. S. Bailey, June 21, 1951, that the merger was null and void because the people of the county did not have a chance to vote as to whether they wanted to merge.

The petitions are now being drawn to appeal Judge Bailey's decision to the Kentucky Court of Appeals.

It is here the merger of the Hopkins County School System and the Madisonville School System rests until some future date.

CHAPTER V  
SUMMARY AND CONCLUSION

The history of this attempt to merge is no different from that of other mergers except that all usual obstacles were surmounted by a good program for the enlightenment of patrons on school problems. The fight came when a county judge called for a public hearing on a bond issue and thus encouraged a minority group to violently oppose the move.

It is the conclusion of the writer that legislation forcing consolidation and mergers at the discretion of the State Board of Education should be enacted. This would assure a minimum of strife and accomplish results quicker. This has been done in a number of states.

Perhaps the merger presented in Chapter III was too advanced for the people of Hopkins County. The writer does not think so.

The public must be convinced that the schools form the leading organization in the formation of good citizenship. Likewise the public must know that good schools, well equipped with trained teachers, will do more to make homes and values and wealth than any other agency short of the church.

Every person connected with the schools of Hopkins County should make an inward pledge that there shall be an equality of educational opportunity for the barefooted boy of the back hills district, that he shall have the privilege of indoor water, toilets that are clean, hot lunches and a room for recreation and games, a playground he enjoys keeping neat, teachers who are studying character and love the job of teaching. Therefore, the final goal of Hopkins County's educational program is the child, every child; that every teacher, board member and administrator



will resolve that the time and money spent will give the forgotten child a chance for the fullest development of his character and latent talents.