

File No. 92626

June 1, 1954

Board of School Commissioners
3 East 25th Street
Baltimore - 18, Maryland

ATTENTION: Mr. Walter Sondheim, Jr.

Gentlemen:

This will acknowledge receipt of your letter of May 25, 1954, making inquiry, relative to the legal effect upon the duties and obligations of the Board of School Commissioners, of the recent Supreme Court decision regarding segregation of children in public schools on the basis of race.

As you know, Article 32, section 22, of the Baltimore City Code specifically sets forth the Board's duties in this regard, as follows:

"It is hereby made the duty of the Board of School Commissioners of the City of Baltimore to organize separate schools for colored children, and to establish as many schools for the education of the colored children of Baltimore City as may in the judgment of said Board be necessary."

It is the opinion of this office that the Supreme Court, by its decision, has determined that segregation in education, as provided for by Article 32, section 22, of the Baltimore City Code, is in deprivation of the equal protection of the laws guaranteed by the Fourteenth Amendment, and is, consequently, unconstitutional and invalid.

Very truly yours,

/s/ THOMAS N. BIDDISON

City Solicitor

HAR;dmv