

STATE OF DELAWARE



EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER FIFTY-NINE

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: ESTABLISHMENT OF THE EFFECTIVE TRANSITION COMMISSION

WHEREAS, the United States District Court for the District of Delaware has entered an opinion and order dated January 9, 1978, requiring the implementation of a plan for the desegregation of the schools of New Castle County commencing in September of 1978; and

WHEREAS, it is the solemn obligation of the Executive Department, together with all other responsible agencies and subdivisions of the State, to see that the desegregation plan ordered by the Court is implemented so as to enhance community stability and harmony and to insure the efficacy of the educational process in New Castle County, irrespective of the legal roles and relationships assumed by such agencies and subdivisions in any appeal of the order directing the implementation of such plan which is now or may hereafter be pending; and

WHEREAS, the task of assuring the harmonious and peaceful implementation of the plan for desegregation depends upon cooperation among all sectors of the community; and

WHEREAS, Governor Pierre S. du Pont, IV, in Executive Order Number Thirty-Two, dated October 25, 1977, committed the Executive Department to the establishment, following the promulgation of the final plan for desegregation, of an entity having major responsibility for bringing about maximum community acceptance and understanding of said plan before and during its implementation.

NOW, THEREFORE, I, PIERRE S. du PONT, IV, by the authority vested in me as Governor of the State of Delaware, and with the concurrence of the County Executive of New Castle County, the Mayor of Wilmington and the Mayor of Newark, do hereby declare and order as follows:

1. There is hereby created a Commission to be known as The Effective Transition Commission.

2. The Effective Transition Commission shall initially have nine members and a Chairman, each of whom shall be appointed by and serve at the pleasure of the Governor. The membership of the Commission shall collectively be reasonably representative of a cross-section of the populace of New Castle County and shall individually be regarded as persons of integrity, competence and high stature in the community. The Governor may, from time to time, add such additional members to the Commission as he shall deem necessary and proper.

3. The Commission shall have the part-time assistance of such personnel as are assigned and funded by the Executive Department, any agency of the United States, and any political subdivision of the State. The various agencies of the Executive Department are hereby instructed to cooperate to the fullest extent possible with the Commission in executing such programs undertaken by the Commission as the Commission may from time to time request.

4. By way of example and not limitation, the Commission shall have the following duties and responsibilities:

(a) Insure that an effective system for informing all members of the public as to the nature and the effect of the plan for desegregation is well provided for;

(b) Make recommendations regarding the coordination of all human and physical resources, public or private, involved in or committed to the process of planning for the peaceful implementation of the plan for desegregation;

(c) From time to time, advise the Governor and the Chief Executive Officers of each political subdivision in New Castle County of matters effecting implementation of the desegregation plan;

(d) Conduct public and private meetings for the purpose of educating the community as to its roles and responsibilities in the implementation of the plan for desegregation;

(e) Assist all public safety organizations in maintaining order and calm at any time and anywhere within the area for which the plan for desegregation shall be effective.

5. In order to more effectively carry out the functions herein assigned to the Commission, the Commission shall have, without limitation, the following powers:

(a) To establish, by resolution adopted by majority vote of the Commission, such subcommittees, task forces or the like as the Commission believes necessary to conduct its affairs;

(b) To incorporate as a not-for-profit corporation of the State of Delaware;

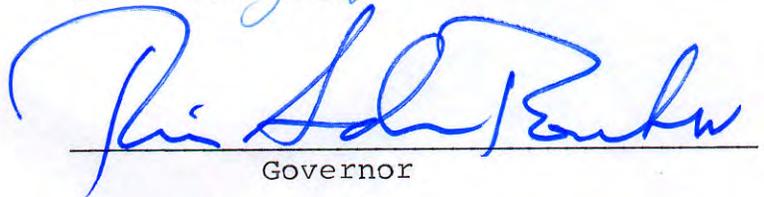
(c) To adopt such rules, regulations or by-laws, for its governance or operation as, by majority vote of the members of the Commission, are determined to be necessary and proper;

(d) To accept donations and grants in its own name, and to hire personnel under such terms and for such durations, as such grants or donations may permit.

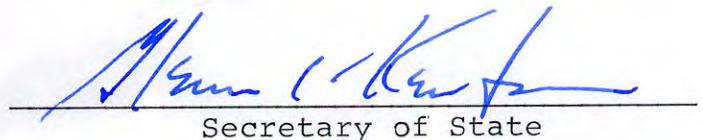
6. The Commission shall maintain a close liaison with the Office of the Governor, the Office of the Mayor of Wilmington, the Office of the Mayor of Newark, the Office of the County Executive of New Castle County, the United States Department of Justice, the United States Department of Health, Education and Welfare, the State Board of Education, the New Castle County Board of Education, and such other governmental bodies as may have an interest in the peaceful implementation of the plan for desegregation. The Commission shall have the power as an adjunct of the Office of the Governor and in accordance with the process mandated by State law and/or federal regulations to apply for, receive, and supervise grants from whatever sources which are available to assist in the implementation process.

APPROVED this *22nd* day

of *August*, 1978.


Governor

ATTEST:


Secretary of State

