

in the colored and white schools. I cannot say whether there are any modifications of the course of study for colored schools. There was no consideration left open for the modification in the course of study in the preparation of the examinations. The examination was based on the course of study and the textbooks. The colored children were required to pass each subject of their examination. I do not know the passing mark required, but I helped mark the papers and submitted the records. We did not take into consideration what mark was necessary for passing. We sent the report to the Towson office, Mr. Cooper's and Mr. Hirshner's office. We sent in the records on each subject exactly as they were made. In my opinion, a child we passed the examination and yet made a mark of 30 in arithmetic, has failed. Arithmetic is a very important subject, history is also important.

#### RE-CROSS EXAMINATION.

Seventy out of a possible hundred would be a passing mark in arithmetic. Thirty out of a hundred would be a very poor mark.

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#### NELLIE B. GRAY,

a witness of lawful age, produced on behalf of the petitioners, having been first duly sworn, was examined and testified as follows:

I am at present Supervisor of elementary instructions and principal of the Catonsville elementary school. I held the same position in June, 1935. In June, 1935, I gave the examination to the colored pupils of Baltimore County at Catonsville. I have never supervised the colored elementary schools. I have visited them during the last ten years but have not supervised them. I have been in the Cowdensville elementary school but not to supervise. The 1935 examination was a standard test prepared or advised by the State Department. I do not have a seventh grade in the Catonsville elementary school. I have a seventh grade in a school under my control at Westchester. The principal of that school gave the examination in January. I do not know what happened to the

pupils who were failed. I know that Cowdensville children were present at the Catonsville examination. I do not remember Margaret Williams as such. Mr. Fletcher, principal of the Catonsville school, assisted in the giving of the examination. I had the manual when I gave the examination. (Witness handed "Manual for Directions"). This is as near as I remember the manual. (Manual marked Petitioners' Exhibit No. 16.) We were given specific instructions and training in giving the standard test. We followed the manual. I did not take any part in the grading of these tests. I was not consulted at all. I do not recall ever having seen the examination papers again. I was not consulted concerning any pupil whom I tested. I did not know anything concerning the classroom work of the children in Cowdensville or any individual child. I did not know the classroom record of any pupil. In the Westchester school, instructions were given to give an examination in June. I did not recall anything about the white elementary examination in June, 1935. The examination in June to the white schools, the seventh grade pupils, was for the purpose of promotion to high school. The examination in June, 1935, to the white seventh grade pupils was for the same purpose. All of our examinations in the grades are for the purpose of promotion—to see whether they have completed the grade.

Q. Is there any difference in your mind between the promotion from the seventh grade and the promotion to high school? A. Well, you understand we have the two types of promotions; one is the promotion to high school and one is promotion.

Q. Just plain promotion. Now, this examination that is given in June is for the purpose of what? I mean, distinguishing between the two promotions you have just mentioned, which one is the examination in June to determine? A. Well, it is to determine whether the child has completed the grade.

Q. Well, if a child passes, is that child just promoted or promoted to high school? A. If he passes the examination, he is promoted to high school.

Q. If he fails the examination, what happens? A. Well, it depends. He may repeat the grade.

Q. If a student should fail the examination by six points, say, and should be a very good pupil, would he necessarily fail? A. I can not say.

Q. You do not know, do you? A. I really do not know, there are so many things to be considered.

Q. Then, the examination is not the sole guide as to whether he shall be promoted to high school or not, is it? A. Not in the white schools.

Q. That is right. They also take into consideration the class-room work and all; is that correct? A. And the recommendation of the teacher.

### CROSS-EXAMINATION.

I really do not know whether in the case of colored children they may be promoted without passing the examination. I do not know whether the rule is different in the colored schools. I know that the examination has been the prerequisite for promotion the past year and has been in various years. I really do not remember the exact wording of the directions we had in 1934 and 1935. Exceptions were very rare. In that case, the teacher would appeal to the Superintendent and the Supervisor. And the Supervisor would grant a promotion. It was a matter of careful consideration. I do not know about the colored schools. I am both principal and Supervisor. I am principal of the elementary school at Catonsville and supervise four schools in the Catonsville section.

### RE-DIRECT EXAMINATION.

The Cowdensville school is not among these schools and I do not supervise the Cowdensville school.

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### ELIZA MERRITT,

a witness of lawful age, produced on behalf of petitioners, having been first duly sworn was examined and testified as follows: