

League of Women Voters of Minnesota Records

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# memorandum

League of Women Voters Education Fund

July 21, 1976

This is not going on DPM

TO: State League Presidents

FROM: Dot Ridings, Education Chairman, Human Resources

RE: Future Updates of League Contact List on Desegregation

The attached memo and listing are self-explanatory. However, because of conflicts in delegates' schedules at the 1976 National Convention and because some local Leagues were not represented at Convention, we know that many Leagues currently involved (or expecting to be involved) in local desegregation activities were not represented at the busing caucus and hence are not on the list. We have already heard from some of them who want to be included in an update of the list and want to receive such mailings that go only to Leagues that express an interest.

So, we are asking for your help. While the May National Board Report did offer other Leagues the opportunity to write and request a copy of the list, we would love to use your State League office as a double-check. If there is a local League in your state that should be included on an update of the list, would you let us know or suggest to that League that they contact us? Perhaps you might mention it in your next communication with your local Leagues. To save costs, we are not sending this mailing to every local League.

An updated and more complete listing of League involvements in school desegregation actions would be most valuable in helping these Leagues share problems and solutions. Your assistance in achieving this goal would be greatly appreciated.

Attachment

This is not going on DPM

CORRECTIONS AND ADDITIONS TO LIST OF LEAGUES INVOLVED IN SCHOOL DESEGREGATION

#### Additions:

OHIO Columbus Sue Phillips Chairman, Ed. Committ

Chairman, Ed. Committee League of Women Voters of

Columbus 65 So. 4th Avenue Columbus, OH 43215 Expecting court decision in mid-November (at the earliest). LWV is working with coalition of business, university, political and other leaders to "keep the peace." Foundation grant to LWV being used for citi-

Corrections:

Add

Delete

OHIO Cleveland Carol Finkle

League of Women Voters

of Cleveland 1276 W. 3rd Street Room 425 Marion Bldg. Cleveland, OH 44113 Carol Finkle 1276 W. 3rd Street Cleveland, OH 44113

zen education.

TEXAS

Nancy Bene President

League of Women Voters

of Austin 4904 Timberline Austin, TX 78746 Pat Oakes P.O. Box 5365 Austin, TX 78763

NOTE: The U.S. Commission on Civil Rights' publication A Report to the Nation will be ready in early September, not late August as stated on page 2 of the June 1976 cover memorandum.

Also, on requesting your copy, write to:

Public Management Division U.S. Commission on Civil Rights 1121 Vermont Avenue N.W. Room 700 Washington, D.C. 20425



# memorandum

League of Women Voters Education Fund

June 1976

TO: Leagues Involved in School Desegregation

FROM: Dot Ridings, Education Chairman (Human Resources)

SUBJECT: League Contacts in Communities Undergoing School Desegregation Process

During the May 1976 National Convention, a busing caucus was called by the Louisville, Kentucky LWV delegation and attended by about 100 convention delegates plus national Board members and staff. After a presentation by Louisville delegates outlining the efforts of their League to facilitate the desegregation process in their city, other participants related experiences in their communities. Stories about the tireless, often difficult, yet still enthusiastic efforts of Leagues all over the country to work toward the goal of quality integrated education and peaceful desegregation were inspiring. The demonstrated zeal of the LWV to continue this often unpopular fight when national governmental leadership is faltering-taking weaker and weaker civil rights positions-should make us feel proud and encouraged. We know that citizen efforts to end discrimination, to discourage violence and quell fears, can bring us one step closer to equal rights for all.

One of the things that delegates at the caucus said would be helpful to them was a list of the names, addresses and community situations (relative to desegregation and busing) of others attending the caucus. A commitment was made by the HR department to send out the enclosed list to all those in attendance. The major purpose of the list is to help Leagues get in touch with individuals from Leagues in other communities that either have gone or are going through similar situations, since the shared-experience approach seems to be valuable. Information on the status of the individual desegregation situations was compiled from comments by those at the caucus and supplemented by information from the Lawyer's Committee for Civil Rights Under Law and the Department of Health, Education and Welfare.

Names of individuals who did not give any indication of a local desegregation situation are omitted from the list. However, all those who signed the list and gave an address will receive a copy of it.

Caucus participants also urged the HR department to set up some type of clearing-house to help Leagues not only get in touch with other Leagues that have helpful ideas, information and materials to share, but also to directly provide information and technical assistance on dealing with school desegregation and related problems. We want to do this but need your help. Please send one copy (two if you can) of any good materials that have been prepared by your local or state League or any coalitions or other groups in your community dealing with school desegregation. We don't want to make any time-consuming or burdensome requests, but if you are anxious to tell your story about what the League and/or other groups have done to facilitate the desegregation process, we would appreciate the information as would others with whom we could then share it.

(cont.)

NOTE: The U.S. Commission on Civil Rights has a publication scheduled for release in late August which should provide extremely valuable data and case histories of community response to desegregation efforts. The book, A Report to the Nation, will include summaries of extensive commission hearings in Boston, Denver, Tampa and Louisville; reports of hearings conducted by commission State Advisory Committees in Berkeley, California; Corpus Christi, Texas; Minneapolis, Minnesota; and Stamford, Connecticut; "case studes" of 29 other communities; data from a total of about 700 school districts across the country; and a report of the commission's December 1975 consultation on school desegregation and "white flight."

The first printing of about 25,000 copies of <u>A Report to the Nation</u> will be available <u>free</u> on a first-come, first-served basis. Write <u>now</u> and put in your advance order for a free copy to: Marvin Wall, Director, Public Affairs Office, U.S. Commission on Civil Rights, 1121 Vermont Avenue, N.W., Washington, D.C. 20005.

After the initial printing order is exhausted, copies will be available for an as-yet unset price.

#### LEAGUES INVOLVED IN SCHOOL DESEGREGATION ACTION

League ALABAMA	League Contact	Desegregation Status
Greater Tuscaloosa	Juanita Watson 45 Woodridge Tuscaloosa, AL 35401	1970 court decree ordering minimal busing is being challenged in court on the ground that the schools remain mostly segregated.
ARIZONA		
Mesa	Laura Watson 3039 E. Bacus Mesa, AZ 85203	No current problem with student segre- gation but teacher assignment is be- coming an issue.
Tucson	Lonnie Allen 4560 N. Broadway #22 Tucson, AZ 85705	Lawsuits pending on behalf of both Black and Chicano students. No trial date set yet. School board uncoopera-
	Freda Johnson 707 N. Belvedere Tucson, AZ 85711	tive. Anti-busing groups have organi- zed.
CALIFORNIA		
Los Angeles	Elinor Turner or Pauline Lampert or Connie Schiff LWV of Los Angeles 3660 Wilshire Blvd. Los Angeles, CA 90010	Appeal of the 1970 state court order requiring desegregation of pupils will be decided shortly by state Supreme Court. HEW has also required reassignment of teachers to eliminate segregation patterns, beginning next year. LWV has been very active.
Pasadena Area	Marguerite Ernstene 1691 San Pasqual St. Pasadena, CA 91106	Completing the 6th year of court-ordered integration. Decision on School Board's request to lift the order will be decided shortly.
Santa Rosa	Meryl King LWV of Santa Rosa 1120 College Avenue Santa Rosa, CA 95404	Working toward economic integration of high school which should result in racial desegregation.
COLORADO	Santa Rosa, CA 95404	
Denver	Lorie Young 2345 Elm Denver, CO 80207	Under court order. Conversion from part-time to full-time elementary school desegregation will take place in fall 1976. High schools are already fully desegregated. The full bi-lingual bi-cultural plan ordered by the lower court was struck down at appeals level.

#### COLORADO (cont.)

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Jan Garcia 15 Meadowbrook Pueblo, CO 81001

In mid-1975-76 school year implemented an integration plan that deals with recruitment and assignment of minority personnel, ability grouping, special class assignment for educable mentally retarded and programs for non-English speaking students.

#### CONNECTICUT

Bridgeport Area

Linda Grossberg 134 Hughes Avenue Bridgeport, CT 06604 Court suit filed in November 1975. No ruling vet.

West Hartford

Mary Everett 30 Ledgewood Road

Could be affected by the decision in the Hartford Metropolitan desegrega-West Hartford, CT 06107 tion case, which has not been tried yet.

#### DELAWARE

Greater Wilmington

Ann Janett 805 Sycamore Lane Wilmington, DE 19807

Catherine Kallol 518 Kerfoot Farm Rd. Wilmington, DE 19803

Barbara Crowell or Martha Fraser LWV of Greater Wilmington 11th & Washington St. Wilmington, DE 19801

Metropolitan desegregation involving Wilmington and New Castle County has been ordered by the court, to be implemented in September 1976. LWV is part of a coalition.

Greater Newark

Judy Taggart 13 Havertown Road Newark, DE 19713

FLORIDA

Betty Mitchell LWV of Florida 255 University Dr. Coral Gables, FL 33134 smoothly now.

Entire state desegregated, on a county-wide basis, years ago. Accomplished well and running pretty

#### GEORGIA

Atlanta

Ann Curry Atlanta, GA 30328

Voluntary transfer plan. Most schools 530 Tanacrest Cir. N.W. are still segregated. Metropolitan case will be tried shortly.

Griffin

Elaine Bolton 1120 Pine Valley Rd. Griffin GA 30223

Small district (175 pupils), integrated and in dire fiscal straits. Re-districting is being contemplated and causing much anxiety.

#### ILLINOIS

Waukegan

Shirley Goldman 771 Walnut St.

Schools are on probation for one year from Illinois State Board and will Waukegan, IL 60085 lose state aid if district fails to act to end racial imbalance.

#### INDIANA

Ft. Wayne-Allen Co. Vivian Lansky

625 Winterset Ft. Wayne, IN 46819

Desegregation proposal under study by Indiana School Board.

Indianapolis Pat Cary

3620 N. Meridian St. Indianapolis, IN 46208

Under court order within the city. One-way transfer of Blacks to suburban districts ordered by district court and presently on appeal.

#### KENTUCKY

Louisville &

Mrs. Norbert T. Wagner Jefferson County Beverly Rosenblum Gladys Cummins LWV of Louisville 115 S. Ewing Avenue Louisville, KY 40206 Court ordered implementation of desegregation for 1975 school year. LWV was very active with "hot-line" and disseminating information to LWV members and the public. LWV working with coalition: Task Force for Peaceful Desegregation.

#### LOUISIANA

Jefferson Parish Linda Duerson P.O. Box 7583 Metairie, LA 70011

Racially desegregated but separation of high schools by sex is being challenged in court suit. No decision yet.

#### MARYLAND

Baltimore

Carolyn Gause 2318 N. Charles St. Baltimore, MD 21218

HEW was prohibited by the court from holding up federal funds due to noncompliance of school district. Briefs in the case against HEW were due be= fore Appeals Court on June 16. Some desegregation has taken place. Further activities awaiting court decisions, not expected.

Montgomery County

Micki Reed

LWV Montgomery Co.

1047 Rockville Pike 1047 Rockville Pike Rockville, ND 20852 School board working with voluntary plan. Involves closing of some small schools. LWV leading community task force to help with school/housing problems.

#### MASSACHUSETTS

Boston

Beverly A. Mitchell 7 Water Street Boston, MA 02109

Wendy Puriefoy 162 W. Brookline St. Boston, MA 02118 Third year of court ordered plan begins in fall 76. Five of 162 schools classified as "tension schools." LWV providing information to parents. Parental involvement is making a positive impact. Still have serious problems with political leadership. U.S. Supreme Court has refused to hear the case.

Malden.

Kitty Maiuri 33 2nd Street Maldern, MA 02148 No current problem, but there is influx of students from Boston.

Medford

Hannah Diozzi 49 Saltonstall Rd. Medford, MA 02155 In 1970, under pressure from Blacks to observe state Racial Balance Act, turned predominantly black school into magnet school. Great success. More Whites apply than can be accommodated.

Natick

Norma-Rae Wachs One Hight Street Natick, MA 01760 Involved in voluntary busing program for students from Boston.

#### MICHIGAN

Detroit

Marcia Pitcole, Pres. 3144 Woodstock Detroit, MI 48221 (313) 342-1425 (Home) (313) 864-8500 (Work) Court ordered desegregation plan implemented in January 1976. LWV working with a very active coalition to facilitate process. Pitcole is available to get help to other groups and has materials on desegregation available upon request

Kalamazoo

Janet S. Scarrow President LWV of Kalamazoo 2820 Duchess Drive Kalamazoo, MI 49008 Desegregated under court order. Appeals exhausted.

#### MISSOURI

Kansas City

Margie Thompson 1063 S. Shore Kansas City, MO 64151 HEW hearing has been held but no decision rendered yet. LWV and a coalition are working on citizen education to prepare for peaceful integration.

#### NEBRASKA

Omaha

Joyce Baskin 5025 Grover Omaha, NE 68106 Under court order to desegregate in fall 1976. Appeal pending

#### NEW JERSEY

Cumberland County

Janet Schrier 98 Central Avenue Bridgeton, NJ 08360 Desegregated.

Montclair-Glen Ridge Remey Fruendlich 37 College Avenue Montclair, NJ 07043

Integrated from grades 2-12. Now required to extend this to kindergarten.

#### NORTH CAROLINA

Charlotte

Sally M. Thomas 3001 Scarlet Circle Charlotte, NC 28210 We have a fine, stable, desegregated school system, and we are out of court at last!

Raleigh

Pat Pierce 420 Rose Haven Dr. Raleigh, NC 27609 City of Raleigh under court order to desegregate. Wake County under HEW plan with limited busing. Recent merger of the two systems takes place in July 1976. New attendance plan for September 1977.

#### OHIO

Cincinnati Area

Burton Roehr 103 Wm. H. Taft Rd. Cincinnati, OH 45219 Desegregation suit has been filed but not tried yet. Some voluntary desegregation is taking place in area of teacher assignment

Betty Roosa 455 Hilltop Lane Cincinnati, OH 45215

Cleveland

Carol Finkle 1276 West 3rd St. Cleveland, OH 44113 Desegregation case in court, decision pending and expected in summer 1976. Decision will cover city only. No metropolitan-wide issues being argued at this stage. LWV in a coalition that has foundation funding to facilitate peaceful desegregation. Business has sponsored educational workshops for public.

Euclid (Cleveland Area) Dorothy Fike 20271 Delaware Rd. Euclid, OH 44117

South Euclid-Lyndhurst (Cleveland Area) Judy Fink 2128 Halcyon Road Beachwood, OH 44122

Metropolitan Columbus Sue Phillips 65 S. 4th Street Columbus, OH 43215 Case in court, trial phase, no decision yet. LWV involved in coalition and disseminating information on school desegregation to community.

#### OHIO (cont.)

Springfield

Merle Kearns 2664 Brookdale

Springfield, OH 45502

Rayma E. Smith n 1155 So. Yellow Spgs. St. Springfield, OH 45506

Cited by HEW for non-compliance with Title VI of Civil Rights Act of 1964. No hearing date set. District has submitted a desegregation plan but HEW has not reviewed it for adequacy yet.

#### RHODE ISLAND

Providence

Mary Lynne Poole 168 Bownen Street Providence: RI 02906 Desegregated voluntarily in 1968 through one-way busing of Blacks. All schools must maintain, within 10%, the ratioof Black to White children in the city. Increasing numbers of Spanish and Portuguese students will soon create new desegregations questions.

#### TENNESSEE

Chattanooga

Ruzha Cleaveland 1000 Signal Mtn. Blvd. Signal Mountain, TN 37377 Under court order since 1971. The question of the plan's adequacy is pending before the U.S. Supreme Court.

Oak Ridge

Virginia Dunlap 112 Balsam Road Oak Ridge, TN 37830 Has been integrated for years.

#### **TEXAS**

Austin

Pat Oakes P.O. Box 5365 Austin, TX 78763 Court decision requiring full K-12 integration was handed down in May 1976.

Houston

Madeleine Appel or Pat Lawson LWV of Houston 614 Harold Houston, TX 77006

Under court order for limited integration. LWV is filing amicus at district court level to protect magnet program and prevent formation of splinter school district.

#### VIRGINIA

Virginia Beach

Betty McLane 4344 N. Witchduck Rd. Virginia Beach, VA 23455 Problems solved years ago in this area.



### LEAGUE OF WOMEN VOTERS OF MINNESOTA

PHONE (612) 224-5445 555 WABASHA • ST PAUL, MINNESOTA 55102 action

CALL TO ACTION - CONSTITUTIONAL AMEND-MENT TO PROHIBIT BUSING

To: Local League Presidents

From: Pam Berkwitz, President, LWVMN; Joyce Lake, Action Chair, LWVMN; Joan

Higinbotham, LWVMN Human Resources Co-Chair

Date: July 19, 1979

Attached is a copy of the ACTION ALERT we have received from LWVUS which gives you the background information you will need for this CALL TO ACTION.

Please contact your Representative immediately with an official letter from your League and have as many members as possible contact him as individuals, urging him to oppose H.F. 74, the Anti-busing Constitutional Amendments.

Representatives Erdahl, Hagedorn, and Stangeland were the MN House members who signed a discharge petition allowing this amendment to be brought to the House floor, where it will be considered on July 24.

Your letters, calls, and Mailgrams to the Representatives are vitally important.

If possible, please send copies of your correspondence to State and National. Thank you.

LEAGUE OF WOMEN VOTERS OF THE UNITED STATES 1730 M ST., N.W., WASHINGTON, D.C. 20036 - LEAGUE ACTION SERVICE - \$9.50 A SESSION



SPOTMASTER ALERT: For latest developments on League issues call Spotmaster (202) 296-0218 from 1 p.m. on Fridays to 3 p.m. on Mondays (EST).

This is not going on DPM.

July 3, 1979

TO: State Presidents and Human Resources Chairs

FROM: Ruth J. Hinerfeld, President; Nancy Neuman, Action Chair,

Dot Ridings, Human Resources Coordinator

RE: Constitutional Amendment to Prohibit Busing

URGENT ACTION NEEDED FOR THE HOUSE OF REPRESENTATIVES

#### IMMEDIATE ACTION

A proposed constitutional amendment (HJ Res. 74) prohibiting busing for school desegregation purposes will be considered by the full House on July 24 at noon. There is not much time for action, so we are sending two copies of this alert to State Presidents for immediate action. Please pass one copy of the alert to your Human Resources Chair. Local Leagues should be alerted if time permits.

Call, write or mailgram all members of the House of Representatives urging them to defeat HJ Res. 74 when it comes to the House floor. This proposed constitutional amendment is a pernicious attempt to evade the mation's responsibility to desegregate our schools. The League has a long-standing commitment to racial integration of schools as a necessary condition for equal access to education. We support busing as one means of achieving integration. In addition, the League believes the courts' powers to fashion a remedy for a violation of the 14th Amendment should not be limited by constitutional amendment.

The courts have continued to view busing as an important tool in achieving desegregation. Recent examples of this were the July 2 Supreme Court decisions involving Dayton and Columbus, Ohio school systems. The Court upheld the position that a failure to act decisively to eliminate vestiges of past segregation amounted to a current segregation policy. These decisions reaffirmed the Court's position that school districts which abolished all mandatory segregation policies after the 1954 Brown v. Board of Education decision still have a responsibility to move to wipe out the effects of past segregation.

Leagues will recall that Rep. Mottl (D OH) had introduced the anti-busing amendment early in the session. (See June R/H for details.) He then circulated a discharge petition in order to move the proposed amendment directly from the House Committee on Judiciary to the House floor. Rep. Mottl succeeded in collecting the required number of 218 signatures on the petition. A 2/3 majority vote is required for passage of a constitutional amendment. With so many names on the petition, quick action is needed to alert all House members to this situation and to urge them to vote against HJ Res. 74 when it comes to the House floor.

SEP 14 1979 Letter sent to Representative Richard Nolan by the St. Cloud Area League in response to a State Call to Action. Lent July 21, 1979 Topic: Busing We understand that the House will be considering a proposed constitutional amendment (HJ Res. 74) prohibiting busing for school desegregation purposes. The St. Cloud Area League of Women Voters urges you to vote against this proposal. League supports equal access to education for all members of society and sees this amendment as an attempt to block racial integration of many of our nation's schools. This, in essence, denies people of certain races equal educational opportunities. League strongly supports busing as one important means of achieving integration. The recent Supreme Court decisions on July 2 involving the Dayton and Columbus, Ohio school systems indicate that the courts also continue to view busing as an important tool in achieving desegration. Please vote against HJ Res. 74 when it comes to the House floor. Representative Nolan Voted against HJ Res. 74 Reasons: 1) such an amendment is not a proper matter for inclusion in the Constitution 2) Busing should be preserved as a last resort to insure each american child quality education

# EDUCATION: PROBLEMS IN EQUITY

Public school education is going through a period of change and challenge. Costs are going up while reading scores seem to be going down. Students and teachers are making demands for more equitable treatment, and the public is asking for more accountability. The rights of women and minorities to equal educational opportunities mandated by the courts and new legislation require changes in school practices and assignments.

The interest in the quality and survival of the public schools is high; however, many people feel frustrated and unable to find solutions to what appears to be an unending stream of problems in the educational institutions across the nation. While there is no one easy cure to education's current ills, there are many ways that interested citizens can help to make it work better. This publication will discuss several education issues that are currently in the spotlight and give background information and specific suggestions for citizen involvement.

Update on school desegregation

Since the historic decision of *Brown* v. *Board of Education* (1954), school desegregation activity has gradually shifted from the South, where state segregation laws were in force, to the North. Current national opinion polls show that Americans are for integration but against "forced" busing to achieve it. Some civil rights advocates equate antibusing stands with racism but opponents of "forced" busing claim that racism and integration are separate issues. Since 1954 the courts have steadfastly built upon *Brown* in prescribing remedies to dismantle dual school systems. The road to integration has been uneven, but despite delays, setbacks and controversy the nation's schools are being desegregated.

The dismantling of dual school systems did not happen immediately after the 1954 Brown decision, nor did school boards move swiftly even after the Supreme Court said in Brown II (1955) that the transition from segregated to desegregated schools should be made with "all deliberate speed." Delaying tactics were used by school boards for the next decade. As a result, by 1963-64 only 1.2 percent of black students in the eleven southern states attended schools with whites.

Desegregation was given a boost in 1964 with passage of the Civil Rights Act of 1964. Title VI of the Act says no school district that discriminates on the basis of race, color or national origin in any program or activity can receive federal funds. It further provides for administrative enforcement remedies in cases where the Department of Health Education and Welfare (HEW) is unable to secure voluntary compliance by school districts. The ultimate weapon is the termination of federal funds.

Between 1964 and 1968, the principal mechanism used by school districts to desegregate their schools either voluntarily or pursuant to court orders was freedom-of-choice. The use of freedom-of-choice plans, however, resulted in only minimal desegregation of predominantly white schools, while black

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schools remained virtually unaffected. The burden of desegregation fell primarily upon the black community.

In 1968, HEW sent a memorandum to state officials directing school districts to adopt school desegregation plans where reliance on freedom-of-choice had perpetuated dual school systems. These directives were subsequently reinforced by the Supreme Court's decision in *Green v. School Board of New Kent County* (1968). The court directed the New Kent County school board "to formulate a new plan . . . to convert promptly to a system without a 'white' school and a 'Negro' school, but just schools."

When administrations changed in 1969, the Departments of Justice and HEW announced a change in policy regarding administrative enforcement under Title VI. Rather than using enforcement proceedings to secure compliance with Title VI, they shifted emphasis to litigation. Rulings of noncompliance in proceedings already underway did not result in termination of federal funds. The dismantling of dual school systems, once impeded by the delaying tactics of southern school districts, was held back by HEW's failure to carry out its Title VI compliance and enforcement responsibilities. Concurrent with HEW's slowdown in implementing Title VI were the public statements focusing on the desirability of maintaining neighborhood schools made by President Nixon.

Predictably, a legal challenge was made to HEW's slowdown in Title VI enforcement. In 1973 plaintiffs in Adams v. Richardson alleged that HEW had defaulted in its administration of Title VI. The district court agreed and held that HEW had an obligation to initiate enforcement proceedings once negotiation and conciliation had not achieved compliance. HEW was subsequently ordered to carry out its obligations with respect to several hundred southern school districts. Two years later, the district court found that HEW was still doing no more than soliciting voluntary desegregation plans. Further, the court found that aside from school districts named in the 1973 order, HEW had not initiated a single administrative enforcement proceeding.

#### Congressional action

Congress has made repeated attempts to slow down desegregation. The purpose of the majority of the desegregation related bills has been to curtail the use of busing. The Scott-Mansfield amendment formed the basis for antibusing provisions in the education amendments enacted in 1972.

In March 1972, President Nixon proposed two bills to limit busing for racial balance, the Equal Educational Opportunities Act and the Student Transportation Moratorium Act. Neither of these bills passed; however, a modified version of the Equal Education Opportunities Act of 1972 with watered-down antibusing provisions was incorporated in Title II of the Education Amendments of 1974.

The attack on busing was repeated in 1975. This time alarm spread through the civil rights community because the traditional northern liberal opponents to antibusing legislation withdrew their opposition. On September 17, Senator Joseph Biden (D-Delaware), a long-time proponent of school desegregation, introduced an antibusing amendment to the \$36 million 1976 HEW-Labor appropriations bill under consideration. This amendment would have prohibited HEW from withholding funds from any school district in order to get it "to assign teachers or students to schools, classes or courses for reasons of race." HEW criticized Biden's amendment because it would have prevented the use of school or classroom desegregation remedies other than busing. Biden introduced a second amendment in order to clarify his first which he said was intended to affect forced busing only. Although both of his amendments passed the Senate, neither was adopted by the conference

Observers noted that this antibusing fight was the most intensive antibusing campaign ever waged in the Senate. The fact that of the 14 senators supporting Biden's first amendment, 10 have voted against such antibusing amendments in the past, indicates that the resistance to busing as a school desegregation remedy is growing.

League of Women Voters Education Fund 1730 M Street, N.W., Washington, D. C. 20036 The courts and metropolitan desegregation

Eventually, metropolitan school desegregation plans may be implemented to overcome segregation in predominantly black central cities ringed by predominantly white suburbs, but to date the courts have limited the applicability of desegregation plans to the confines of central cities. Two cases of note in which the issue of metropolitan desegregation was raised are Bradley v. School Board of Richmond and Milliken v. Bradley.

Richmond: In Bradley (1972), federal district court judge Robert R. Merhige found that de jure segregation existed in Richmond's public schools. To end segregation, he ordered the merger of Richmond's school system, whose student enrollment was over 70 percent black, with those of the surrounding Henrico and Chesterfield counties, whose student enrollments were over 90 percent white. Merhige found consolidation to be "a first, reasonable and feasible step toward the eradication of the effects of the past unlawful discrimination." His order would have created a metropolitan school system with the percentage of blacks in each school ranging between 20 and 40 percent. Although 78,000 students would have been bused in the process, this represented an increase in busing of only 13 percent. Merhige's farreaching decision was overruled by the Fourth Circuit Court of Appeals. The court of appeals did not find the racial composition of schools in Richmond and the contiguous counties to be a result of state action, and, therefore, concluded that no constitutional violation had occurred. The Supreme Court subsequently split 4-4 on Bradley. thus the court of appeals' decision stands.

Detroit: In 1970, the Detroit school board adopted a voluntary desegregation plan to partially desegregate its high schools. The plan. however, was subsequently rescinded and the NAACP, et. al., filed suit in Milliken v. Bradley, alleging that racial segregation existed in Detroit's schools as a result of official state actions and policies. In 1973, a federal district court found that de jure segregation did exist and ordered the board of education to submit desegregation plans for the city and the state to submit desegregation plans for a three-county area encompassing 85 school districts. The district court judge designated 53 suburban districts to be included in a metropolitan desegregation plan. The court of appeals upheld the district court, but the U.S. Supreme Court did not. In its 5-4 1974 decision, the Supreme Court concluded that there was no evidence that acts of the outlying districts caused the discrimination found to exist in the Detroit schools. Although some observers might stop short of saying that interdistrict busing is dead forever, in view of the Supreme Court's decision it is not likely that metropolitan school desegregation plans will be implemented in the very near future.

#### School desegregation and white flight

How many white students flee public school systems as a result of desegregation? This is an emerging issue, one certain to be debated considerably years hence and one which has already stirred up great controversy in the social science community.

Loss of whites: James S. Coleman raised the question in his analysis of Trends in School Segregation 1968-1972, a study he and others conducted and released in 1975: "Is the loss of whites from the central city schools accelerated when substantial desegregation takes place?" He found that the average loss of whites present at the beginning of the year desegregation took place was 5.6 percent in the 21 largest districts and 3.7 percent in the next 46 largest districts. He concluded that the emerging problem is one of segregation between city and suburbs and that the current means by which schools are being desegregated are intensifying rather than reducing the problem. The emerging problem of increased segregation in central cities is brought about by a loss of whites. The loss proceeds at a relatively rapid rate when the proportion of blacks in central cities is high and the proportion of whites in the suburbs is high.

Controversy: Following the release of this study, a plethora of articles on Coleman's research and his anti-court-ordered busing views were published. The essence of Coleman's remarks was that current desegregation plans are self-defeating since they led to a resegregation of metropolitan areas. Because Coleman's 1966 report, Equality of Educational Opportunity had been used extensively by prointegrationists to support their fight for school desegregation, Coleman's research and opinions were given a lot of weight; they were also viewed with alarm by school desegregation proponents.

The confusion between Coleman's research and his personal views on court-ordered busing was expressed by Thomas Pettigrew and Robert Green in their "Reply to Coleman": "Throughout the furor there has been a confusion between his limited research and his sweeping views against court-ordered desegregation . . . the connection between Coleman's views and Coleman's research is tenuous at best and quite conflicting." Pettigrew and Green, like many other social scientists, were concerned about the ethics involved: "Every social scientist, like any other citizen, has a right to express his full political views on any subject without the support of research results. Ethical problems arise ... when the social scientist's views are put forward not as political opinions at all but as a results of his own extensive scientific investigation, as 'new insights from recent research'.'

Pettigrew and Green noted that other studies using comparable data did not show the same significant cause-effect relationship between desegregation and white flight that Coleman's study had. Reynolds Farley's study did show a relationship between the two, but it indicated that whites leave cities for other reasons. As he stated, "We have shown that cities whose schools were integrated between 1967 and 1972 did not lose white students at a higher rate than cities whose schools remained segregated."

Sorting out the specific factors and measuring the degree to which they cause the outmigration of whites is a difficult, complex process, but one which deserves serious study. Gary Orfield noted in a 1975 report that the factors influencing outmigration are many and diverse: availability of federal subsidies for housing, decline in the level of central city services, movement of jobs to suburban areas, major urban riots and fear of violence are among the contributing factors. These factors alone would be influential enough to prompt a family that is able to move to do so and the adoption of a school desegregation plan might give that family the added impetus. Not only whites are fleeing. Research indicates that black middle-income families are increasingly moving to suburban areas. Central city black school enrollments are stabilizing and declining in some instances. Between 1970 and 1974, Washington, D.C. lost five percent of its black population, while the black population of the surrounding suburbs increased 61 percent during the same time. As Orfield noted, the most conclusive statement that can be made about the Coleman report and the relationship between desegregation and white flight is that available studies indicate that school desegregation, in itself, does not cause substantial white flight.

#### School desegregation is working

Statistics don't appeal to the emotions the way that rhetoric does, yet it is necessary to cite them to put the hue and cry about massive forced busing into perspective. In a 1975 report, the U.S. Commission on Civil Rights noted that less than four percent of the busing of school children can be attributed to school desegregation. In 1972, less than one percent of the increase in bus transportation was due to desegregation. While 43.5 percent of all school children ride buses to school, only 3.7 percent of all educational expenditures are allocated for transportation and less than one percent of the increase in busing costs is due to desegregation.

The Supreme Court decided in Swann v. Charlotte-Mecklenberg Board of Education (1971) that the use of busing was an acceptable remedy to desegregate schools. This was the first time that the Court considered the type of remedial action needed to create a unitary school system. Unfortunately, the furor over busing, together with the debate over school desegregation and white flight, lack of affirmative national support and congressional actions taken to curb its use, have obscured the reality that school desegregation plans, with and without busing, are being implemented successfully

Common problems: Since 1972, the U.S. Commission on Civil Rights has investigated the school desegregation operations of 19 communities to "identify problems which recur in school districts undergoing desegregation and to describe how they have been met." Some of the communities were under court orders to desegregate, others were implementing HEW plans, still others were desegregating voluntarily. These communities were located in urban, rural and suburban areas, north and south. In all of its investigations, the commission has found that the transition is "almost never a totally smooth one. Mistakes frequently are made, petty incidents can throw an anxious community into confusion and schools that seem to have turned the corner toward total success suffer serious setbacks." Teacher adjustment, displacement of black officials, resegregation of students within schools by ability grouping, real or imagined

unfairness in student discipline, and community anxiety were problems common to several communities. Among the cast of players, students created the fewest problems. The commission stated in its 1972 report that students "adjusted quickly and smoothly to the new school environment, often despite fears and anxieties of their

Keys to success: The commission's investigations have not resulted in a fool-proof plan of action, yet they have been able to isolate some of the key elements which contribute to successful school desegregation operations. Briefly, they are: • Determination of the school board and administration to carry out the desegregation plan and to do so firmly and unswervingly . Support by the news media, local officials and civic leaders; • Distribution of the burden of desegregation proportionately among the community; Involvement of parents as active participants, including keeping them thoroughly informed and soliciting their advice and suggestions; • Development of procedures to assure firm but fair and impartial discipline of students and their full participation in school activities; • Efforts to improve the quality of education during the desegregation process.

Boston's experience: It was the lack of many of the above elements that contributed to the nationally publicized disruption in Boston when that city's schools underwent Phase I of a court-ordered desegregation plan involving busing in September 1974. Prior to Phase II of Boston's desegregation plan, which was to go into effect September 1975, the U.S. Commission on Civil Rights held hearings which focused solely on the implementation of desegregation during Phase I. The commission found that most of Boston's schools desegregated "reasonably well." However, severe problems were created by the lack of affirmative leadership of city officials, the lack of preparation by the Boston school department and the open defiance of the plan by some members of the Boston school committee.

Mayor Kevin White was commended for his public education efforts during Phase I, in which he held coffees in the homes of persons opposed to court-ordered busing. However, the commission labeled his position on upholding the law "ambivalent" and noted that he considered himself a broker in the desegregation process, a position it found indefensible since the main point of contention was the enforcement of the law. In addition, the commission found that the religious community, social action agencies and the business community could have been more vigorous in their support of desegrega-

Overall, the majority of Boston's schools desegregated "reasonably well" the commission reported. The schools that were successful "were characterized by 'strong' administrators who planned ahead and who were both consistent and positive in their policies. Students in these schools were found to have accepted one another and to have functioned without obvious tension and conflict." The attitude of parent and community groups was crucial. In those schools where desegregation went reasonably well, "organized and aggressive antibusing groups were either absent or were effectively neutralized by positive community forces.'

parties, affirmative leadership and support of the media and civic groups are elements which contribute to successful school desegregation operations. Even Boston's experience proves that where these elements are present, school desegregation can work.

#### Pregnant girls teenage mothers

One of the tragic consequences of teenage pregnancy is exclusion from the education process. In Children Out of School in America, the Children's Defense Fund (CDF) reports that its survey of over 6,500 families in 30 sites around the country revealed that 5.8 percent of the children aged 6-17 excluded from school were pregnant and an additional 2.4 percent "wanted to get married." Pregnancy ranked as the third most frequently cited reason for being out of school.

Other figures confirm the incidence of teenage pregnancy and establish the attrition rate of teenage mothers from the education process. In a November 20, 1973 speech before a Conference on School-Age Parents in Columbia, South Carolina, Cyril Busbee, South Carolina state superintendent of education, stated that one out of every 10 school-age girls is a mother (about 210,000 such pregnancies per year) with one-sixth of the total number under 16 years of age. Moreover, about 85 percent of all teenage mothers keep Perry v. Granada (Mississippi, 1969), another federal court ruled that their children. Busbee concluded that pregnancy is the major known exclusion solely on the basis of unwed motherhood was a violation

cause of dropouts among girls in this country.

In a recent article in the New York Times Magazine (February 22, 1976), Leslie Aldridge Westoff establishes that the high national figures on teenage pregnancy cut across class and race lines. Her focus is on the rapidly growing number of white middle class unmarried girls who reject abortion and adoption and decide to have and keep their babies.

Statistically, all indications are that both teenage pregnancies and single-parent households are rising. Westoff points out that between 1971 and 1974, there was a 12 percent increase in illegitimate births to white girls ages 15 to 19 (with a corresponding 5 percent increase among black teenagers). Over the same period, illegitimate births to white girls under 15 increased by 32 percent against a 3 percent increase for blacks. More white teenagers have begun to keep their babies. While in 1966 an estimated 65 percent of white illegitimate babies were given away for adoption, a 1971 Johns Hopkins study put the estimate at 18 percent.

Most exclusons of pregnant girls and teenage mothers result from informal advice in favor of "voluntary withdrawal" rather than from overt policies. As the CDF study stated, educators' attitudes "are enough to convince most of them that they are not wanted." Although home or alternative instruction may be available in some school districts, many of these programs are tantamount to exclusion, particularly home tutoring programs, which usually consist of only a few hours a week. Senator Birch Bayh stated in the Congressional Record (October 17, 1975) that despite the fact that most pregnant girls are physically able to remain in their classes, less than onethird of the 17,000 school districts in the United States make any provision for the education of pregnant girls. "In the others, teenage parents are often prohibited from continuing their education or are removed from regular student rolls and placed on rolls of special students. This reclassification limits the range of educational courses and services available to them."

Pushing pregnant girls and teenage mothers out of school, or failing to provide positive incentives through adequate education, counseling and support services for them to stay in school, compounds the grave psychological, social, medical and economic problems they face. Sen. Bayh (Congressional Record, October 17, 1975) enumerated some of the difficulties that all too frequently accompany teenage pregnancies. Of the 60 percent of teenage mothers who currently marry by the time they give birth, two out of three will be divorced within five years. The suicide rate among pregnant students under age 18 is 10 times greater than the rate among the nonpregnant population. And the consequences extend to the children-a high proportion of the children kept by their teenage mothers at birth will eventually be relinquished to foster or institutional care during the preschool years, often as abused or neglected children.

Many of the problems associated with teenage motherhood relate directly to economic strain. Failure to finish her education makes the likelihood of the teenage mother's ability to support herself and her child slim. Even for white middle class girls, the economic burdens of Communication, planning ahead, involvement of all affected caring for a child are overwhelming if parents don't take over the major share of responsibility.

> Assuring the right to an education can be the critical factor in helping pregnant girls and teenage mothers cope with the strains of their situation. As Children Out of School in America points out, "These students need to complete their education as much as other students. If they are forced out, the consequences to themselves and their children—two generations of children ill-equipped for full participation in society—are a tremendous cost to bear." The "consequences" can include the cycle of economic dependency and its attendant problems -a cycle which staying in school can break by helping girls to maximize their chances for economic self-sufficiency.

#### Relevant court decisions, laws and regulations

Local school district policies on pregnancy vary widely and in many cases are unwritten. Moreover, exclusion of pregnant girls is often an unofficial practice even in school districts that have reasonable policies on record. However, several key lower court decisions have established the right of pregnant girls to an education. In Ordway v. Hargraves (Massachusetts, 1971), a federal court ruled that a pregnant girl could not be excluded from school on the ground that attendance would either endanger her health or cause a disruption. In cases have established legal precedents for the right to education of pregnant girls and teenage mothers, the Supreme Court has never directly reviewed these rights.

The variability of local policies regarding teenage pregnancy and motherhood will be drastically affected by the implementation of Title IX of the Education Amendments of 1972, which for the first time establishes a national policy on sex discrimination for institutions receiving federal aid. The Title IX regulations forbid discrimination or exclusion from any class or extracurricular activity on the basis of "pregnancy, childbirth, false pregnancy, miscarriage, abortion, or recovery therefrom." Pregnancy is to be treated like any other temporary disability, which means that pregnant girls cannot be required to produce a doctor's certificate to remain in or return to school unless that requirement is ordinarily made of students with other temporary disabilities. Marital status cannot affect treatment of a pregnancy. If a student elects to take a temporary leave of absence, she must be reinstated when she wishes to return to school.

A key provision of the regulations is that while school districts are not barred from providing separate classes or programs for pregnant students, no student can be required to enroll in them or be home tutored. Whether or not she chooses to remain in a regular classroom is the option of the student. Moreover, a separate program provided by a school district must be comparable educationally to the instruction provided in a regular classroom. (See the article on Title IX for information on implementation timetables.)

Although there is a variety of federal-level legislation that affects pregnant girls and teenage mothers, there is to date no specific legislation targeted to their needs. Existing federal programs which can provide services include Titles IV-B (child welfare services), V (maternal and child health services), and XX (social services) of the Social Security Act; the Women, Infants and Children supplemental feeding program (of the Department of Agriculture); and Title X (family planning) of the Public Health Service Act. However, all of the existing categorical programs which have the potential for serving pregnant girls and teenage mothers have so far been funded at hopelessly low levels. Both Senator Bayh and Senator Edward Kennedy have introduced legislation before the Senate that addresses the problems of pregnant girls and teenage mothers, but as of this date mark-up has not yet been scheduled for either bill in the Subcommittee on Health.

#### What you can do

Since the Title IX regulations now define what is essentially a national policy on pregnant girls and teenage mothers, monitoring the implementation of these regulations is critical. See the Title IX article for suggestions on monitoring implementation of the Title IX regulations. It is especially important to find out what the school district's "old" policy was, written or unwritten, and to make contact with the appropriate policy makers to find out how the policy is being adjusted, if at all, in light of Title IX.

Stopping the exclusion of pregnant girls and teenage mothers from school does not involve new programs or new money—it involves implementing the mandate of the Title IX regulations. Although school districts have until July 21, 1976 to come up with their complete selfevaluation, there is no excuse for exclusions to be tolerated in the interim. Since exclusion of pregnant girls has traditionally been subtle, it is important to remember that the Title IX regulations emphasize the relevance of procedures as well as policies. If a school has a nondiscriminatory official, written policy but in practice follows traditional patterns of discrimination, it is in violation of Title IX.

If your school district sets up separate facilities for pregnant girls, try to find out whether they meet the Title IX standard of educational comparability by talking with students and teachers and visiting the facility. If a school system chooses to set up a special program outside the framework of the regular classroom, it must be careful to assure that special services provided such as counseling, prenatal care, and courses in child development are a supplement and not a replacement for academic instruction. Study the information available on the various kinds of special programs that have been implemented around the country. Familiarity with both the successes and failures of existing "comprehensive" programs will give you a better basis on which to assess programs in your community and have input into the development of improved or new programs.

Find out whether your school district and/or local government are

of equal protection under the U.S. Constitution. While these and other receiving any federal or state funds to run programs that are providing or could provide services for pregnant girls and teenage mothers. Examine those programs not only to assess what services they provide but also to evaluate how they are coordinated with the school district's policies and programs.

Full compliance with Title IX vis-a-vis pregnant girls and teenage mothers clearly involves not only elimination of old policies of outright exclusion and benign neglect, but also establishment of affirmative action programs in the form of positive incentives to help them remain in school. And it is unlikely that the past patterns will be overcome without vigilant citizen advocacy.

#### Discipline

Exclusion of children from school through disciplinary practices has reached alarming proportions nationally. In a report entitled School Suspensions: Are They Helping Children? published in September 1975, the Children's Defense Fund (CDF) reported that one in every 24 children enrolled in the 2,862 school districts reporting to the Office for Civil Rights (OCR) was suspended at least once in the 1972-73 school year. At the secondary level, the number rose to one out of every 13 children.

The OCR data analyzed by CDF shows that suspension is a nationwide problem. However, the burden falls disproportionately on black children, who are suspended at twice the rate of any other group.

High as the national OCR figures are, they actually represent an undercount because they do not include all those children excluded by informal methods such as "cooling off" periods, "voluntary" withdrawals, misplacement into special education classes, forced transfers back and forth among schools or thousands of dropouts who simply decided not to return to school once they had been suspended.

Moreover, not all school districts were included in the OCR survey. many school districts either failed to report suspensions or reported them inaccurately, and no count was made of multiple suspensions. CDF's door-to-door survey showed that 40 percent of suspended students had been suspended two or more times and 24 percent were suspended three or more times.

The subject of school suspensions is surrounded by a series of myths. Many people assume that suspensions affect only a few troublemakers who cause violence and vandalism. It is also widely assumed that suspensions are an effective educational tool, fairly administered and used only after other alternatives have been tried and

School Suspensions states, however, that "the number of truly dangerous and violent children in schools is very small" and that 'most children who commit violence and vandalism are not suspended but expelled." In fact the vast majority of suspensions are for nonviolent offenses: CDF's survey found that 63.4 percent were for nondangerous offenses (for example, 24.5 percent were for truancy and tardiness). Less than three percent were found to be for destruction of property, the use of drugs or alcohol, or other criminal activity. The high proportion of suspensions handed out for truancy and tardiness is particularly troubling, since it fails to deal with the underlying problems of why the children are truant or tardy and simply sends them out into the street—possibly the worst alternative.

Suspensions are often imposed arbitrarily, without prior notification of parents and students and without giving the students an opportunity to explain their side of the story. Only 3.4 percent of the suspended children in CDF's survey had a hearing.

There is tremendous variation in the length of suspensions and in the numbers of kinds of suspendable offenses among school districts and even among schools in a single district. Much of the inconsistency regarding discipline comes from the fact that too few school districts establish or disseminate written policies on discipline. When no clearly established and understood policy exists, defining suspendable offenses is left to the whim of individual administrators and teachers.

Most suspensions do not serve any demonstrated valid interests of students or schools, and they are frequently used by school officials instead of confronting tougher issues: ineffective and inflexible school programs; inadequate communications with students, parents and the community; and a lack of understanding about how to serve children of many different backgrounds and needs. The most frequently stated official rationale for suspensions among school officials interviewed for the CDF survey was to get the parents into school-a striking index of the lack of communication between schools and parents.

#### Relevant court decisions. laws and regulations

In 1975, two landmark Supreme Court decisions, Goss v. Lopez and Wood v. Strickland, laid down important precedents in the area of disciplinary action against students. Although a number of lower court rulings had begun to acknowledge hearing rights, it was not until Goss that the Supreme Court recognized the hearing rights of children threatened with disciplinary exclusion from school. A month later the Wood v. Strickland decision recognized the right of students to recover damages from school officials whose actions violate a student's constitutional rights.

The Goss decision outlined what every student's minimal hearing rights are when faced with a suspension of less than ten days. Before suspensions can take place, students must be given oral or written notice of the charge against them. If they deny the charge, they must be given an explanation of the evidence against them and a chance to explain their side of the story. Students must be told what they are accused of doing in enough detail to defend themselves. Hearings must be held before students are sent home from school, except in the narrowly defined circumstance of continuing danger to persons or property or threat of disrupting the school. Under the exception, a hearing should be held no later than the next day. In most such suspensions, schools need not allow students the opportunity to have a lawyer, to listen to and question witnesses testifying against them or to call witnesses to support their case. Students and parents can, however, request a formal hearing.

Even though Goss did not go very far in establishing procedural hearing rights, some lower court decisions, several states and school systems have established more extensive hearing rights in some school districts. As a result of the Mills decision (1972), Washington, D.C. students faced with a suspension of more than two days must receive a hearing before an impartial hearing official. At this hearing students are entitled to be represented by an attorney, law student or community advocate. They may question witnesses testifying against them and have the right to bring their own witnesses. Similar rights have been established in New York, New Jersey, Philadelphia, parts of California, Maryland, North and South Carolina, Virginia, New Hampshire, Washington and several other states for suspensions of five days to ten days.

On the issue of long-term suspensions the Goss decision said only that "longer suspensions (more than ten days) or expulsions for the remainder of the school term, or permanently, may require more formal proceedings." The decision also did not address the question of the nature of offenses which can be punishable by disciplinary exclusion or the severity of that punishment.

OCR requires school districts to report data on suspensions and expulsions. Although OCR has not developed a comprehensive compliance program to combat its own findings of racially discriminatory discipline policies, it has recently revised its requirements for recordkeeping on student discipline procedures and actions.

In August 1975 OCR issued a memorandum setting forth some precise record-keeping and reporting requirements on discipline to chief state school officers. This memorandum stated that "in many hundreds of school systems around the nation, minority children are receiving a disproportionate number of discipline actions in the form of expulsions and suspensions and are being suspended for longer periods than nonminority children." OCR also stated that in order to bring about compliance in school systems where there appear to be violations of Title VI (of the Civil Rights Act of 1964) and Title IX (of the Education Amendments of 1972), it would require school districts to furnish a number of documents relating to student discipline actions. The documents include state statutes; written statements on school policy, standards, practices and procedures for discipline; a detailed account of the numbers of students suspended (by racial and ethnic designation, sex, school attended, offense, person(s) reporting offense and imposing action, and accounting of the procedural history of the case); a detailed log of formal and informal hearings (including referral to special classes for behavior modification and transfers); an accounting of dropouts and the reason for withdrawals; and a log of referrals of discipline cases to courts or to juvenile authorities.

In a memo released in January 1976, OCR retreated significantly by making the list of documents illustrative rather than definitive and pushing back the timetable for implementation. Under the wateredpline records in formats other than the one described in the original

memo to continue to use them. Further, although OCR "strongly encourages" implementation of the new reporting requirements during the 1975-76 school year, school districts are not required to adopt them until the opening of the 1976-77 school year. Finally, OCR has decided that for now the record-keeping requirements will be limited to the 3,000 or so school districts in the nation that enroll significant numbers of minority children.

The comprehensive Juvenile Justice and Delinquency Act of 1974 includes help for states and local communities to develop programs that will reduce juvenile delinquency by keeping students in school "through the prevention of unwarranted and arbitrary suspensions." Funding is provided through formula grants of no less than \$200,000 annually made by the Office of Juvenile Justice and Delinquency Prevention in the Law Enforcement Assistance Administration (LEAA) to states that submit acceptable plans. Seventy-five percent of these state funds must be spent on advanced techniques for preventing juvenile delinquency, diversion of juveniles from the juvenile justice system and provision of community-based alternatives to juvenile detention and correctional facilities. One of the techniques listed is funding educational programs or supportive services designed to keep delinguents and to encourage other youth to remain in school or in alternative learning situations.

#### What you can do

☐ First of all, learn about the policies and practices of your school system. Study the policies on student discipline, the student conduct codes and the student handbooks.

☐ In what form does the school district disseminate information on its discipline policies to administrators, teachers, parents and students? Are individual schools' codes legal, fair and consistent with the school system's policy?

Do student handbooks incorporate student input and "translate" students' rights into understandable language?

☐ Talk with the appropriate school authorities about how discipline is handled. In talking to officials, teachers and students, try to find out about any special programs or procedures that are being implemented as alternatives to suspensions. You may want to identify alternatives that could be used in the school system.

☐ Take a look at the discipline records required by OCR. Find out what plans your school district has for coming into compliance with OCR's new record-keeping requirements. It may already be revising or implementing new procedures. Does your school district analyze the data it collects on suspensions? Such an analysis should provide a profile of the pattern of suspensions, the number of class days lost and the corresponding reduction in state aid, which is based on average daily attendance in many states.

☐ Try to identify what some of the root problems behind an overuse of disciplinary exclusions might be, such as poor school community relations or poor leadership at a particular school. Once you have studied the problem and understand the issues, work out ways to begin a dialogue among citizens-not just parents-educators, and

☐ Try to educate the community about discipline problems.

Beyond studying the problem, exposing it and seeking suport from other concerned parents and citizens, there are a number of strategies you can try out.

Encourage your superintendent or school board to appoint a group of parents, students and educators to study the entire problem in depth and make specific recommendations.

☐ Work with concerned students to help them deal with discipline and suspension problems in their schools. By talking with students, you can also identify positive models within the system whose success at dealing with disciplinary problems can be shared with other teachers, school officials and the community. You could also develop a volunteer advocacy program for suspended students that aims to get them back into school as quickly as possible.

 $\Box$  If you find that the discipline process in your school district is racially discriminatory, submit a formal complaint to the regional OCR. State that the complaint is against your school district's violation of Title VI of the 1964 Civil Rights Act, document the complaint as fully as possible, ask for an on-site investigation of the problem and request to be informed as to the disposition of the complaint.

☐ Although litigation is not always the answer to remedying problems such as inadequate discipline policies and practices, consider legal down guidelines, OCR permits school districts which maintain disci- action if the concepts of equal protection and due process have been violated

#### Children with special needs

Children with special educational needs have traditionally been labeled handicapped, then stigmatized as a result of the labeling process. In fact, there is a tremendous range of physical and psychological special problems that children exhibit, some of them as common as speech defects and others as severe as extreme mental retardation.

The Bureau of Education for the Handicapped of HEW defines the term"handicapped" to mean children with certain impairments that require special education and related services. It can refer to such labels as EMR (educable mentally retarded), EMH (educable mentally handicapped). TMR (trainable mentally retarded), TMH (trainable mentally handicapped), ED (emotionally disturbed), EH (emotionally handicapped), LD (learning disabilities), PH (physically handicapped), HH (hard of hearing), D (deaf), B (blind), VI (visually impaired) and SI (speech impaired).

Children with special educational needs suffer in several distinct ways at the hands of school systems. Particularly in the case of more serious problems such as blindness, deafness or severe physical handicaps, they are often excluded by school systems that either provide no services at all or maintain services that reach only a fraction of those who need them

Another, perhaps even larger group is partially or functionally excluded from the education process. This group includes students who are shunted into inadequate programs, those who are unnecessarily segregated from all regular classroom experience and children whose problems have gone undiagnosed or misdiagnosed—with resultant placement in programs that do not fulfill their educational needs.

The ease with which school districts can deny an education to children with special needs is illustrated by the fact many states still have statutory exemptions for physically, mentally and emotionally handicapped children. In Children Out of School in America, the Children's Defense Fund (CDF) reported on the paucity of special education programs in the 17 school districts it surveyed first-hand. Eight school districts reported they had no special services for deaf or hard of hearing children; seven reported no inschool programs for blind or visually impaired children; five reported no services for children with learning disabilities; three reported no programs for children labeled emotionally disturbed; and ten provided no inschool programs for physically handicapped children unable to participate in the regular school program. CDF also found that when programs do exist, they are frequently not adequate to serve all the children who need them. Long waiting lists are common, particularly for ED and LD programs. Waiting lists for EMR programs, the most commonly provided special education programs (except for SI services), were found in nine of the school districts surveyed.

Local estimates of the need for special programs and numbers of children being served parallel the unclear figures available on the national level. (BEH stated that in 1971-72 44 percent of handicapped children aged 0-21 were being served in public schools or state-supported institutions, while a Rand study for HEW estimated that in the 1972-73 school year, 59 percent of handicapped children aged 5-17 were being served in public schools.) Precise data does not exist even where school districts are mandated to conduct a general census or a special census of handicapped children.

Poor placement procedures are rampant in special education. Parents are often not brought into the placement process, which includes testing, diagnosis and treatment of the child. Although some parents and parent groups are beginning to put more pressure on school officials to demand adequate services and fair, objective placements, parents are generally unaware of and uninvolved in the crucial decisions about their children's special education placements.

There are several other problems with the placement process. For example, the assessment techniques used are nearly always based on standardized tests that may be culturally and racially biased. For non-English speaking students, the problem is compounded by the scarceness of both tests in other languages and the bilingual personnel to administer and interpret them.

Some children are placed into special classes on the basis of subjective evaluations that may reflect teachers' desires to "dump" behavior problems that do not warrant special placement. LD, ED and EMR placements can all be used to "dump" children whom classroom teachers don't want to or can't deal with.

A related problem in the misclassification area is definitional. Educators, psychologists and others disagree among themselves about what the criteria are that apply to any specific handicap. Since

standards for both classification and program content vary, special classes bearing identical labels may connote very different programs in different school districts. Sometimes placement is arbitrarily determined on the basis of factors other than special need. White children, for example, are more likely to be placed in relatively less stigmatized LD classes, with ED and EMR classes carrying disproportionate minority enrollments.

In the many cases in which the school districts do not make available a full range of special education services, children are frequently placed into whatever special program is operating, even if it is inappropriate for them. Misplacement has been traditionally most endemic in EMR classes, since frequently they are the only special classes available.

There is evidence that the kind of funding available sometimes determines classification. As *Children Out of School* points out, school officials are sometimes careless about the classification and placement process. "Rather than seeking children with unmet needs who may be difficult to find, the temptation to label those at hand is appealing."

The most striking problem of misclassification involves racial discrimination in the placement of black students into EMR classes. CDF analyzed special education data submitted to the Office for Civil Rights (OCR) in the fall of 1973 by 613 school districts in five southern states and discovered that for the 505 districts reporting students enrolled in EMR classes, over 80 percent of the students in EMR classes were black, even though less than 40 percent of the total enrollments in those districts were black. Forty-six percent of those districts reported that five percent or more of their black students were in EMR classes, but only four districts reported five percent or more of their white students in EMR classes. Whether the disproportionate numbers of blacks in EMR classes in the south stems from an attempt to resegregate black students or is a result of placement procedures, it is clear that the figures raise serious questions of racial discrimination.

Special education problems extend beyond the scope of placement procedures and misclassifications into the education services actually provided by special programs. For example, all the school districts surveyed by CDF except for Washington, D.C. reported placing a large proportion of their EMR children in separate classes. The tendency to label children and then physically separate them from their peers inflicts an almost automatic stigma on children with special needs. Moreover, the programs provided for them are frequently no more than custodial in nature. In many districts, particularly those in which special education programs do not extend beyond the elementary school level, children do not have the opportunity to realize their full learning potential and end up more or less marking time in school.

### Relevant court decisions, laws and regulations

Two federal statutes, the Education of the Handicapped Act-Part B (EHA-B), as amended in 1974, and the Education for All Handicapped Children Act of 1975 (P.L. 94-142) affect children who are handicapped or labeled handicapped by their school districts. Both laws not only protect children from misclassification, but also require the provision of extensive special education services.

EHA-B, as amended in 1974, distributes a specific amount of funds to each state (on the basis of number of children aged 3-21), which in turn distributes it to local school districts that apply for funds. States must give priority to programs serving children who are not in school at all and children who are severely handicapped. While not all school districts in a state receive EHA-B funds, each state must develop a "state plan" insuring compliance with the law in every school district. The major requirements include: 

The major requirements include: 

providing all handicapped children with "full educational opportunities;" 

establishing due process safeguards for identification, evaluation and placement of children into special education programs; 

designing local and state procedures to educate handicapped children with nonhandicapped children ("mainstreaming") as much as possible; 

providing racially and culturally nondiscriminatory tests and procedures for special education evaluations.

The Education for All Handicapped Children Act of 1975 extends EHA-B until October 1977. At that time, several program funding changes will be made and the requirements outlined above will be strengthened: Funds will go directly to local school districts as well as to states, and recipient school districts will have to submit detailed plans to state education agencies. These federal funds can be used

only to pay the "excess costs" of special education, that is, the difference between the cost of educating a handicapped and a non-handicapped child.

Under the new law, by September 1, 1978 all handicapped children aged 3-18 must be provided a "free appropriate public education" unless prohibited by state law and by September 1, 1980 all such children aged 3-21 must be served.

The law also encompasses the former state plan requirements under EHA-B, particularly in the area of due process, and strengthens them. The strengthened due process safeguards which will take effect in FY 78 include: □ prior notice of any change in a child's program and explanation of procedures to be given to parents in written form and in their primary language; □ access to relevant school records and an independent evaluation of the child's special needs □ impartial due process hearings to be conducted by the state education agency or the local or intermediate school district, but in no case by a person "involved in the education or case of the child;" □ the right of a child to remain in his or her current placement while due process proceedings are taking place; □ designation of a "surrogate parent" to use the procedures outlined above for a child who is a ward of the state or whose parent or quardian is unknown or unavailable.

The new law also includes the requirements that tests and procedures for evaluating special needs be in the primary language of the child; that no single test or procedure be the sole basis for determining a child's placement; that handicapped children, including children in institutions, must be educated as much as possible with children who are not handicapped; and that written, individualized educational plans for each child evaluated as handicapped be developed and annually reviewed by a child's parents, teacher and designee of the school district.

Concern with possible sex and race discrimination in special education has also been manifested recently at the federal level. In August 1975 the Office for Civil Rights (OCR), charged with administrative enforcement of Title VI and Title IX in education programs receiving federal aid, issued a memorandum to chief state school offices and local school district superintendents on identification of discrimination in the assignment of children to special education programs. The memorandum establishes specific standards for Title VI and Title IX compliance in the area of special education.

At the outset, OCR states that compliance reviews have revealed a "number of common practices which have the effect of denying equality of educational opportunity on the basis of race, color, national origin or sex in the assignment of children to special education programs." The memo points out that the disproportionate over or under-inclusion of any group of children may indicate possible noncompliance with Title VI or Title IX. Evidence that a school district has used criteria or methods of referral, placement or treatment of students that have the effect of subjecting individuals to discrimination may also constitute noncompliance with Title VI or Title IX. Some practices may also violate section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap. OCR is currently formulating the regulation for section 504.

The memorandum notes that OCR took into account the requirements of EHA-B for state plans in establishing its standards for Title VI and Title IX compliance in the area of special education. It instructs school officials to examine their current practices to assess compliance and to immediately devise and implement a plan to correct whatever compliance problems they might find. Such a plan must also provide reassessment or procedural opportunities for all students currently assigned to special education programs "in a way contrary to the practice outlined." Such students must be reassigned to an appropriate program and provided with whatever assistance is necessary to compensate for the detrimental effects of improper placement.

Court decisions have also played an influential role in establishing the education rights of children with special needs. Undoubtedly the most significant have been PARC (Pennsylvania Association for Retarded Children) v. Pennsylvania (1972) and Mills v. D.C. Board of Education (1972). The PARC consent decree laid the groundwork for establishing the legal right to an education for all children by upholding the claims of mentally retarded children to an education. The Mills federal court decision broadened the groups of special-needs children the D.C. schools are obligated to serve beyond the mentally retarded to children with other physical and emotional needs. Both of these suits established hearing rights in the area of special needs.

The Children's Defense Fund, in cooperation with local Mississippi attorneys, is presently bringing suit on behalf of 22 plaintiffs in six

counties who are not in school or who are not receiving any special services. The suit (Mattie T. v. Holladay) challenges the state's receipt of funds under EHA-B as amended in 1974—the first time that federal statutes have been used as a basis for arguing these right-to-education claims.

In recent years, several states, including Massachusetts, Michigan and Tennessee, have passed special education laws including in varying degrees many of the provisions now included in EHA-B and the Education for All Handicapped Children Act. In many cases these laws explicitly or implicitly supersede old laws on the books that allowed states to exclude children with special needs.

#### What you can do

The passage of laws represents only the first step toward implementation of sound procedures and programs. It takes citizen involvement to translate legislation into practice.

☐ Find out what the status of the law and policies are for your school district and state.

☐ Does your state have a special education law?

□ Do state statutes require more or less than EHA-B and the Education for All Handicapped Children Act? If the federal laws' requirements are stronger than the state law, then you can exert pressure to bring the state guidelines into conformity with the federal law.

☐ Monitoring of state and local school systems by parents and concerned citizens will be crucial in assuring that EHA-B and the Education for All Handicapped Children Act are implemented. You may want to work with other concerned individuals or groups who are interested in the plan not only to study and comment on plans as they are revised periodically, but also to monitor them on an ongoing basis. Begin by familiarizing yourselves with the 1975 and 1976 plans and assessing the degree to which they have been implemented by talking to state education agency officials, local school officials, teachers, parents and concerned community people.

☐ State plans are available to the public for comment and then submitted to BEH for approval. Parents have a right to participate in the development of these plans and to make comments to their state departments of education. Amendments to state plans for the 1974-75 school year, the first year of implementation, were not approved until the spring of 1975. Although additional amendments to the state plans for 1975-76 were due on August 21, 1975 most states were late with their '76 plans. Find out when these plans were developed and approved in your state. The comment period may vary from state to state.

☐ The '76 state plans must describe in detail the steps a state will take to identify and evaluate all children with special needs and provide special education services to those children who need them. Check the ongoing due process safeguards that should have been adopted in your state's plans to assess whether your school district is in compliance. Hearing procedures should be part of the due process safeguards. Find out what written policies exist for hearing procedures and how they have been disseminated to parents and the community. Help make other parents aware of their rights and their children's rights and how a parent can use available procedures to challenge a decision about his/her child's educational program.

□ In examining the implementation of the state plan, look at how the state and local school districts are carrying out the following activities:

1) making parents and others in the community aware of the rights of handicapped children, the existing programs, and where parents can go for information about special needs; 2) identifying and locating children with special needs; 3) providing a comprehensive diagnosis and evaluation of every child before any special placements are made: 4) providing special educational services to all children identified and evaluated as handicapped and in need of them; 5) providing regular reassessment of placements and a mechanism for changing or modifying them as necessary.

Find out to what extent your local school district has been involved, if at all, in developing the 1975 and 1976 state plans, how EHA-B funds are being used locally, and to what extent there are any provisions for involving parents in any program or expenditure

☐ If you find a situation which you think violates the state plan or the law, write a complaint to the state department of education and to BEH. If you think that handicapped children are being discriminated against on the basis of race, national origin or sex, then file a complaint with OCR.

#### Sex discrimination & Title IX

A not-so-quiet revolution is taking place today in America's schools. School administrators, teachers, parents, students and interested citizens are taking steps to overcome the pervasive sex bias, role stereotyping and discrimination in education institutions. What distinguishes this current movement from past activity is that now there is a federal law explicitly prohibiting sex discrimination in elementary and secondary school districts, colleges and universities that receive federal funds. Virtually all of the 16,000 public school districts and 2,700 postsecondary institutions are covered by Title IX of the Education Amendments of 1972, which states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

Title IX applies to the treatment of students and employees and affects a number of areas including: housing, counseling, athletics, financial aid, employment, recruitment and admissions. HEW's Office of Civil Rights (OCR) is responsible for compliance and enforcement activities. Since the major support for Title IX passage came from women, there is a tendency to think of the legislation as beneficial only to women, but the law in fact covers discrimination against both women and men on the basis of sex.

Coverage

The regulation implementing Title IX became effective July 21, 1975. nearly three years after the law was passed. This article will discuss how Title IX will operate in selected areas. (See the final regulation for details on how other activities will be affected.)

Admissions: The admissions policies of vocational, professional and graduate schools and public undergraduate schools (except those that have been and continue to be single sex) are covered by Title IX. The admissions policies of preschools, elementary and secondary schools (except vocational schools) and private undergraduate schools are exempt. However, even institutions whose admissions policies are exempt from Title IX must treat all admitted students (male and female) on a nondiscriminatory basis. Specifically exempt

1) military institutions at the secondary level whose primary purpose is to train individuals for U.S. military service or service in the Merchant Marine:

2) educational institutions run by religious organizations to the extent that compliance would not be consistent with the tenets of the religious group;

3) social fraternities and sororities and organizations like the YMCA. YWCA, Girl Scouts, Boy Scouts and voluntary youth service organizations whose membership has been traditionally limited to youth nineteen years old and under.

An institution whose admissions policies are not exempt from Title IX coverage is prohibited from discriminating on the basis of sex in recruiting students and cannot recruit exclusively at schools for one sex only. To overcome the effect of past exclusionary recruitment policies some institutions may have to take affirmative action.

**Employment:** All employees of institutions receiving federal funds are covered by Title IX. Institutions cannot pursue employment policies that discriminate in recruitment, advertising, hiring, upgrading, promotion, rate of pay (or other forms of compensation), fringe benefits and leaves of absence (pregnancy is to be treated as any other temporary disability).

Athletics: The activity affected by Title IX that has received the most media coverage is athletics. Because the inequities in athletics and sports are so deep rooted, schools may encounter such difficulty in providing equal athletic opportunities that inequities will probably continue, in the view of some observers.

The regulation permits schools to maintain separate teams when selection for teams is based on a competitive skill or when the activity involved is a contact sport. HEW includes boxing, wrestling, rugby, ice hockey and football as contact sports. If a school has maintained a team in a particular noncontact sport for one sex only, then the previously excluded sex must be allowed to try out for the existing

Although schools are required to provide equal athletic opportunities, they are not required to make equal aggregate expenditures. Among factors HEW will consider in determining whether equal athletic opportunities are being provided are: travel and per diem allowances, provision of equipment and supplies, provision of housing,

Physical Education Classes: Separate physical education classes for boys and girls are prohibited under Title IX, with a few exceptions. Students may be grouped according to sex within classes when contact sports are involved. Also, separate classes may be held if they deal exclusively with human sexuality. The grouping of students according to ability (based on objective standards) is permissible, despite the fact this may result in classes made up predominant-

Elementary schools are allowed an adjustment period of up to one year to comply with the athletics regulation; secondary and postsecondary institutions have three years to comply. HEW has repeatedly emphasized that the adjustment period is not a waiting period and that all schools should take immediate steps to comply. They may justify taking the full adjustment period only if they can demonstrate the existence of real barriers to immediate compliance.

Financial Aid: In general, schools are prohibited from administering trust scholarships that designate a particular sex. Under Title IX, schools must initially select students to receive financial aid on a nondiscriminatory basis. If a situation arises where there is insufficient financial aid from non-sex-restrictive sources to balance out the sexrestricted funds, then the school must obtain money from other sources to eradicate the imbalance or award fewer funds from sex-

Schools may administer single-sex scholarships for foreign study, so long as similar opportunities are provided to members of the other

Vocational Education: In the past, the assignment of girls to home economics classes and boys to industrial arts classes was an accepted practice. Vocational education has reflected traditional social norms for "appropriate" life and career roles for females and males. Studies on the treatment of males and females in vocational education show that generally female students have not been allowed to get training in those courses that lead to higher paying skilled and semiskilled jobs. Title IX prohibits sex discrimination in such vocational programs as shop and business, including courses offered at the elementary and secondary level.

Counseling: Schools covered by Title IX are prohibited from: (1) providing career, personal or class counseling services that differentiate on the basis of sex; (2) classifying occupations by sex in counseling and testing programs; (3) providing materials that state or imply that certain academic, career or personal choices are more appropriate for one sex than the other; (4) assigning students to counselors on the basis of sex. In addition, schools must identify those courses that contain a disproportionate number of students of one sex and determine whether the makeup of these courses is the result of counseling discrimination or related instruments or materials.

#### What institutions must do by July 21.76:

☐ Notification of policy: Schools must notify the following applicants that it cannot discriminate on the basis of sex under Title IX: applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral for applicants for admission and employment, unions and other professional agencies with whom it has contacts or agreements. Institutions were required to place notification of the nondiscrimination policy in publications such as student handbooks, application forms, bulletins, catalogs, newspapers and magazines by October 19.

Designation of Title IX Coordinator: Schools are required to designate an employee to coordinate its Title IX activities and to inform students and employees of the appointment.

Grievance Procedures: Schools are required to adopt and publish grievance procedures for prompt and equitable resolution of student and employee discrimination complaints. The structure of the grievance procedure is left to the discretion of the school. A school district may set up a central office to handle grievances for the entire district or it may decide to let each school set up its own. Employees and students must be notified that a procedure has been established and how grievances will be handled.

□ Self-Evaluation: In the process of conducting the required selfevaluation schools must: (1) evaluate their current policies and practices; (2) modify inadequate practices and policies; (3) take remedial steps to correct past discriminatory practices and policies. Schools are required to keep their self-evaluations and related materials on file for at least three years.

☐ Assurance of Compliance: The regulation does not specify that the assurance of compliance must be submitted by July 21. However, since institutions must complete and submit their self-evaluations by July 21, it is generally assumed that assurances will be submitted shortly thereafter. Each school applying for federal funds is required to submit an assurance of compliance with Title IX to the director of the Office of Civil Rights. Before an assurance can be submitted and accepted by HEW, schools must have conducted a self-evaluation and documented remedial actions and modifications in policies taken to bring them into compliance with Title IX.

#### Citizen monitoring: a must

Citizen monitoring is essential if the goals of Title IX are to be achieved. Citizens can organize such a monitoring effort in a number of ways, including formation of a citizen's advisory committee or participation in monitoring projects. If you plan to monitor you should know the law (see Resources on how to get copies of the regulation) and the location of the regional HEW office for your state.

The most crucial period for schols in terms of compliance is the first twelve months. No matter how your monitoring effort is structured, the following questions on the tasks to be completed by July 21, 1976

should be on your checklist:

☐ Has your school district published a notification of policy?

☐ Has a Title IX coordinator been designated? ☐ Has a grievance procedure been established?

☐ Has a self-evaluation been completed?

☐ Has an assurance of compliance, complete with documentation showing the remedial steps that have been or will be taken to correct past discriminatory practices and policies been submitted to HEW?

Get involved and find out what is being done now in the schools to overcome past discriminatory policies and practices. In addition to monitoring, consider engaging in other activities to help schools and the community during the period of transition. Cosponsor with the school board a public discussion on what changes are taking place as a result of Title IX or recommend materials that would help schools conduct comprehensive self-evaluations.

#### What you can do

Anyone who feels (s)he has been discriminated against on the basis of sex by the education system should file a complaint with HEW. By letting HEW know that the public expects enforcement of Title IX and letting the educational institution know that discriminatory practices will not be tolerated, filing a complaint has a dual benefit. Moreover, the mere act of filing a complaint may prompt the institution to correct these practices immediately on its own. Here are some tips on how to file a complaint.

What Is The Deadline? Generally, complaints must be filed no later than 180 days after the discrimination occurs. However, if the discrimination is an ongoing problem, for example, unequal pay for equal work, a complaint can be filed at any time.

What Should Be in A Complaint? 

name of the school district (and the individual school), college or other institution; □ name of the person discriminated against; 

description of the discriminatory action or policy; □ supporting evidence (if available); □ your name, address and telephone number (and those of additional persons you feel should be contacted—be sure to explain why); and  $\square$  a request for prompt action. The more information you provide HEW in the complaint, the more effectively HEW can handle it.

To Whom Should It Be Sent? Send complaints to the director of the appropriate HEW regional Office for Civil Rights. In addition, you may want to send copies to your congressional delegation, school board, local newspaper and organizations concerned with sex discrimination and/or women's issues.

What About Confidentiality? HEW must keep confidential the name of the person or group filing a complaint; however, names may have to be revealed during an investigation. If you wish your name to remain confidential, stress this in your complaint and ask HEW to let you know in advance if your name has to be revealed.

What Will HEW Do With Your Complaint? Once HEW has received a complaint it will generally notify the affected institution that a complaint has been received, attempt to resolve the complaint with a few telephone calls or conduct an on-site investigation, notify the complainant and the institution in writing of HEW's findings and

negotiate with the institution to set up procedures to overcome any discrimination found. HEW's ultimate weapon is the cutting off of federal education funds.

Although the regulation requires institutions to establish a formal local grievance procedure, anyone with a sex discrimination complaint may file with HEW and bypass the local grievance procedure

#### Title I—compensatory education

Title I of the Elementary and Secondary Education Act of 1965 is the largest federal education aid program. It provides federal financial assistance to local education agencies that serve large concentrations of children from low-income families. This federal money must be used to expand and improve educational programs that contribute to meeting the special educational needs of educationally deprived children. Through this same title federal aid is provided to state education agencies (SEAs) for programs designed to meet the special educational needs of handicapped, neglected, delinquent and migrant children and the administration of Title I.

The education amendments of 1974 make many changes in the 1965 act. They:

change the way Title I funds are distributed,

provide better opportunities for parental involvement,

attempt to guarantee participation in Title I programs to eligible children in private schools,

expand programs for migrant children,

set aside a precise amount of funding for a national evaluation of

This article will briefly review the Title I law and focus major attention on the role opened up to parents and citizens through new mandates for parent advisory councils (PAC).

Without the attention of local citizens and the involvement of parents, it is doubtful that compensatory education programs will go very far to provide equal educational opportunity for all children. In the early years of the program, local school districts had few guidelines on how to spend the money and much of it was misused. While subsequently the law and guidelines for implementation have been tightened and expanded to give more precise direction to school districts, they have been largely ignored and violated. Federal enforcement has developed slowly and touches a small portion of the schools receiving Title I money. But parents, interested citizens and community organizations across the country have begun to monitor the use of funds, to establish parent advisory councils, to file complaints, to initiate lawsuits and to find that their activity can make a difference.

#### How the program works

The 1974 amendments extend the authorization for Title I through June 30, 1978. Of the 16,000 school districts in the nation, approximately 12,000 received a portion of the total \$2 billion appropriated for Title I in fiscal year 1975-76. On March 11, 1975, the commissioner of education issued the proposed regulation for Title I as amended in 1974. However, more than one year after the proposed regulation was issued and two years since the enactment of the education amendments affecting Title I, no final regulation has been issued. School districts are still required to implement the revised law.

#### **Funds distribution**

Title I funds are distributed to state education agencies and then to local school districts whose applications have been approved. The amount of money allocated to each state is determined by the number of children age 5-17 from families below the poverty level and twothirds of the children from families above the poverty level through receipt of A.F.D.C. payments, children in institutions for neglected or delinquent children and those supported in foster homes with public funds. A school district's application must indicate attendance areas within the district that are eligible to receive funds.

If funding is insufficient for all eligible school attendance areas, a school district must select target areas in which the incidence of poverty is highest. Once the attendance and target areas are determined, educational deprivation, not economic deprivation, becomes the basis for determining which students may participate in Title I

The Title I law and the current regulation do not specify the programs and projects to be funded under Title I.

#### Parent advisory councils

One of the most important areas of the new Title I law is the expanded provision for parental involvement in Title I programs. Now, each school that has a Title I program must have a PAC in addition to the district-wide PAC. The history of Title I has demonstrated that involvement of parents can make the critical difference between success and failure of the program.

Role of the PAC: Parent advisory councils have been given responsibility for advising the school district in the planning, operation and evaluation of the Title I program. The law guarantees the PAC's access to information necessary for carrying out these responsibilities. Local school district officials are required to meet with PACs to explain the program and to permit PAC participation in assessing needs, selecting priorities and target schools, developing the program design and evaluating program effectiveness.

Selection of PAC Membership: A majority of the members of each PAC must be parents of children served in Title I programs. Remember that all children counted in the formula may not be receiving Title I services. Membership for an individual school's PAC is selected by parents in each target school attendance area. The particular selection process is left to the discretion of school district officials. The Buckley Amendment protecting the privacy of students' records has made the identification of Title I parents and the PAC selection process more difficult. However, there are many ways to handle this. For a discussion, see "New Legal Requirements for Parent Involvement in Title I Projects," available free from the Lawyers' Committee.

#### What you can do

Many people feel that involvement of citizens in Title I programs is the key to their success. Therefore, monitoring the implementation of the PAC requirements is an important citizen task and one that is not limited to PAC members. Some of the points a monitoring group

- ☐ Is there a district-wide PAC and a PAC in each Title I assisted
- ☐ Was the selection of PAC membership carried out properly?
- ☐ Are the majority of each PAC's members parents of children receiving Title I services?
- ☐ What information is made available to PACs?
- ☐ Are PACs involved in program planning, development, operation **Implementation** and evaluation?
- □ Do PACs have any access to Title I funds for carrying out their responsibilities? This is a permissible expenditure.
- ☐ Were PAC comments on the local school district's Title I proposal sent to the SEA with the program application?

Individual citizens who are not PAC members may want to give assistance to the PAC on budgeting, planning and evaluation activi-

#### Privacy & the right to records

There is a new law on the books that gives parents of all students under 18, and students over 18, the right to see, correct and control access to student records. The Family Educational Rights and Privacy Act, popularly called the Buckley amendment, was signed into law on November 19, 1974. All education agencies and institutions that get federal financial aid must follow the procedures prescribed by this law. Since almost all public school districts (elementary and secondary schools) and public and private colleges and universities do receive federal funds under one or another of the many federal aid programs, almost all fall within the coverage of the new requirements.

#### What the law requires

The law says that schools must notify parents and students over 18 of their rights under the Buckley amendment. Notification must include a for removal of false and misleading information. Once a student reaches 18 or enters a postsecondary education institution, the rights previously accorded to the parents are transferred to the student. There are some exceptions. A teacher's or counselor's personal notes taken for his/her own use, records of security police, and personnel records of school employees are exempt from access. Students, even over 18, can be denied access to their own psychiatric or treatment officials on notice to refrain from any careless or inappropriate

January 1, 1975, and parents' financial records.

Requests to see the student records must be granted within 45 days. The school must provide a list of all the records maintained on the student. Schools also have a legal obligation to establish hearing procedures and hold hearings within a "reasonable time" (the law does not define "reasonable") to resolve conflicts over the removal of alleged misleading or false information. If a hearing decision goes against the request of a parent. (s) he may insert a statement into the record which states why (s)he thinks a particular record is false, misleading or inappropriate.

The Buckley amendment also protects the student's records from being made available to third parties without the consent of the parents or student over 18. When a third party asks for information from a student's records, the school must tell the parent what records or information have been requested, why the request was made and who will receive the records as part of the request for permission to release of the records. This procedure must be followed each time a request for information is made and the school must keep a list of everyone who has made a request and received information in the student's records. School officials in the same district or educational institution with a legitimate educational interest, a school district to which a child is tranferring, enforcement agencies and research organizations helping a school, school financial aid officials and those with court orders are not considered third parties and their requests for student records do not require the clearance procedure. However, in the case of a student transfer, parents must be allowed to see and challenge the record's content before it is transfered to another school

Many schools publish student directories. Under the Buckley amendment, schools must now send parents a list of the information that will be published in the directory. The law defines directory information as name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, awards and the most recent previous educational agency or institution attended by the student. If parents or students over 18 do not want the information published, they must take the initiative and ask the school to omit the student's name from the directory.

The Buckley amendment became law on November 19, 1974 and proposed regulations were published on January 6, 1975. Complete final regulations have not been published. This delay has caused considerable confusion in some school districts, colleges and universities. The new law raises many questions, some of which the final regulation should clarify. Still, in the absence of a final regulation, schools are required to implement the law now and cannot wait for specific guidelines from the federal government. Some state legislatures and state education agencies have taken the initiative and are trying to help local education institutions by passing statewide laws or policies to implement the Buckley amendment. The development of sample notification forms and technical assistance in resolving problem areas have been particularly useful.

#### Why the Buckley amendment is so important

In the past parents and students have not always been allowed to see the information contained in student records or even been informed about what kind of information is in the records, let alone given the opportunity to challenge their veracity or exert any control over their availability to individuals outside the school. Correcting this situation is important, but the new law also plays a critical role in the movement toward the establishment of more carefully defined procedures for student discipline and student rights. In recent years, more and more description of how access to records may be obtained and the process schools have established both specific policies for student discipline, and hearing procedures for resolving disputes and administering disciplinary actions. As schools begin to implement and rely more heavily on hearing mechanisms the use of student records for documentation of school's charges or defenses of particular actions increases. The Buckley amendment helps to assure that student records are accurate and open to parents and students. It puts school records, confidential letters of recommendation written prior to notation regarding the student. It also makes parents responsible for

exercising the right and responsibility to know what is in their on and tie up the courts with endless challenges to any legislative children's records and what they mean.

#### Special problems for title I PACs

The 1974 education amendments require all schools providing Title I services to educationally deprived children to have parent advisory councils (PACs) with the majority membership parents of children being served by Title I. Parents in Title I attendance areas select PAC members. A list of eligible PAC members that identifies parents of Title I students would automatically identify a child's performance. Under the Buckley amendment, such a list cannot be made public or given to persons other than school officials without written consent of each child's parent. School districts have no guidelines to follow in this matter and must proceed carefully since they are required to set up

There are ways to recruit PAC members without violating the Buckley amendment. One way, for instance, is to distribute to Title I parents consent forms requesting permission to list the parents' names as eligible PAC members. School districts or PACs having problems in complying with seemingly conflicting demands of Title I and the Buckley amendment are urged to seek technical assistance or advice from the appropriate federal agency or any of the organizations listed under Resources.

#### What you can do

- Ask for a copy of the written procedure for obtaining access to and removing false or misleading information from student records.
- ☐ Ask your school officials how notice of the written procedure was
- given.  $\hfill\Box$  Find out what state laws and guidelines have been issued that address implementation of the law.
- ☐ To test the adequacy of compliance procedures by schools in your community, try out the procedure. A parent whose child is in a covered school can ask to see the child's records. How long did it take to grant the request? Were school officials cooperative? Was a list of what the records included provided? What was in the records? Did they contain any wrong or misleading information? If so, was it removed upon request? If such a request was denied, were adequate hearing procedures implemented? Was an advocate allowed to assist or speak for the parent? Was the hearing carried out properly and in accordance with established written procedures?

If a school fails any of these tests and the matter is not satisfactorily resolved, write a complaint to Family Education Rights and Privacy. U.S. Department of Health, Education, and Welfare, 330 Inde pendence Avenue, S.W., Washington, D.C. 20201. This office is responsible for enforcing the Buckley amendment. Also send a copy of the complaint to one of the parent or student advocacy groups listed under Resources.

#### Racism and sexism in text materials

Text materials are much more than just the vehicles for teaching children to read, write and do arithmetic. The written and spoken word and pictures have tremendous control over how people think, feel and behave. They interpret and pass on our social, political and cultural environment.

These instruments of instruction have been like the society that produces them, often loaded with bias, prejudice, discrimination and misinformation. Since the early 60's the law has gone far in its attempt to bring about equal opportunity in education, the American gateway to economic opportunity and prosperity. Still many text materials continue to pass on stereotypes, prejudiced viewpoints and untruths. In many ways the subtlety of racism and sexism in text materials today may be more serious than the obvious bias of the past because it often goes

Antidiscrimination provisions of federal education legislation have eliminated many aspects of racism and sexism in schools, but neither 🗆 How do local administrators and teachers make selections from ap-Title VI of the Elementary and Secondary Education Act nor Title IX of the Higher Education Amendments of 1972 specifically addresses text materials in either the law or regulations. The debate over the Title IX regulation in the early 1970s revealed a great reluctance by the majority of Congress to create legislation that would hit the Constitution's first amendment quarantee to freedom of speech head local educators?

mandate for standards by which to evaluate text materials for racism and sexism

To overlook the effect of text materials on the development of values is foolish. The same institutions that have helped to perpetuate racist and sexist stereotypes-including the education establishment -can do a lot to correct the problem. Yet, without vigilance and action on the part of parents and concerned citizens, it is unlikely that change will take place with any speed, if at all.

#### What you can do

There are two major approaches to dealing with the problem of racism and sexism in text materials. One is to learn (and teach students and educators) how to identify, discuss and compensate for racism and sexism in the materials that are currently available and being used. The other is to influence the text book selection process. Both approaches should be used as part of a continuing effort to eliminate racism and sexism from our cultural environment.

#### Guidelines for Identifying Racist and Sexist Materials:

- Check illustrations for stereotypes, tokenism and simplistic or unfavorable portrayals of lifestyles of minorities and women and for how often they appear.
- ☐ Check the storyline for subtle forms of bias in power and role relationships, comparative standards for success, viewpoint and the relative importance of sex to characterizations in literature.
- ☐ Analyze the effect of a book or story on a child's self-image and
- ☐ Try to evaluate the author's or illustrator's qualifications for handling particular themes or subject matter and his/her point of view. ☐ Check the copyright date for clues to bias.
- □ Look for what is omitted as well as what is included and handled improperly, especially in history texts.
- ☐ Look for loaded words and racist and sexist language.
- $\square$  Note the particular selection and omissions of heroes and heroines. (Guidelines adapted from Vol. 5, No. 3, 1974 of Interracial Books

Once racism or sexism has been identified in instructional materials, teachers and students should learn to discuss it openly in the classroom. Parents and students should discuss the problem at home, and teachers and administrators should discuss it in school meetings and workshops. Avoidance of these critical discussions will let racism and sexism continue to be a dominating influence in the thinking and behavior of children who will then perpetuate a racist-

Selection of Text Materials: Statistics compiled by the Educational Products Information Exchange Institute reveal that 75 percent of a student's learning time is spent with text materials. Yet lew text materials are tested for effectiveness prior to marketing and fewer still are closely examined for racist and sexist content or omissions. In 1971, 150,000,000 textbooks were sold for over 1/2 billion dollars. This was about \$10 per child. Another \$10 per child was spent on instructional materials other than textbooks. Textbooks and instructional materials are big business in the United States.

The way that text materials find their way into the hands of children differs in each state. About half of the states have commissions, while the other half are "open adoption" states which leave the choice and purchase of materials up to each school district. Before you can have an impact on the textbook and instructional materials selection process, you will need to find out which process is used in your state. These are some of the questions you will want to ask of those who are

- ☐ Is there a state textbook commission or are choices made by the local district or individuals schools?
- ☐ Who is on the state commission (or local district committee)?
- ☐ How are members selected?
- ☐ How do they go about reviewing available materials?
- ☐ How many choices are available on the approved list for a given subject and grade level?
- proved lists?
- Can a local school purchase books that are not on any adoption list? If so, from what funding source?
- ☐ Do parents and students participate in the process? How?
- ☐ How do publishers present their products to the commissions and

and formalized? Then you will want to ask questions of people at various parts of the educational process, including students, parents, teachers, administrators, textbook commission members and publisher representatives:

Are materials consistent with the school system's objectives?

☐ Do materials attract student interest?

☐ Have materials been pretested with students to ascertain their response to them?

☐ Are materials equitable, representative and nondiscriminatory in treatment of racial, ethnic and socioeconomic groups and the sexes? How was this evaluated?

Once you know who all the decision makers are, how they are selected and how they make their decisions you can begin to have an impact on the process either by direct participation in the process or by educating those who are involved through publications, the media or workshops.

(Questions were adapted from an unpublished paper by John Egerton for a Southern Regional Conference Seminar held October 26-27, 1973.)

#### Resources

Materials and organizations that can provide technical assistance and/or information are listed below. Additional resources can be found in An HR Source Guide, LWVUS, Pub. No. 590, 16 pp., 1975, 75c. Publications are available free unless the price is listed.

#### General

Children's Defense Fund, 1520 New Hampshire Ave., N.W., Washington, D.C. 20036: Children On File. To be published in May 1976, price to be designated. \* Children Out of School in America. 365 pp., October 1975, \$4.00 \* How To Look At Your State's Plan For Educating Handicapped Children. 21 pp., September 1975. \* School Suspensions — Are They Helping Children? 225 pp., September 1975, \$4.00. \* Your School Records: Questions for Parents and Students. 11 pp., March 1976. Your Rights Under the Education for All Handicapped Children Act, March, 1976.

National Committee for Citizens in Education, Suite 410, Wilde Lake Village

Green, Columbia, Maryland 21044.

National Education Association, Publications Department, The Academic Building, Saw Mill Road, West Haven, Connecticut 06516.
Southeastern Public Education Project of the American Friends Service

Committee, 52 Fairlie Street, N.W., Atlanta, Georgia 30318.

Office for Civil Rights, U.S. Department of Health, Education, and Welfare, 330 Independence Ave., S.W., Washington, D.C. 20201.

#### Pregnant Girls and Teenage Mothers

The National Alliance Concerned with School-Age Parents, Suite 516E, 7315 Wisconsin Ayenue, Washington, D.C., 20014. For May 1975 special issue on school-age parents cooperatively presented by the National Alliance Concerned with School-Age Parents and the American School Health Association, send \$2.50 to the American School Health Association, P.O. Box 708, Kent, Ohio 44240.

Federal Interagency Task Force on Comprehensive Programs for School-Age Parents, U.S. Office of Education, Room 2089-G, 400 Maryland Avenue, S.W. Washington, D.C. 20202.

Consortium on Early Childbearing and Child Rearing, 1145 19th Street,

N.W., Washington, D.C.

"Discrimination Persists Against Pregnant Students Remaining in School," Linda Ambrose, Family Planning/Population Reporter, February, 1975, pp. 10-13. For reprints write to 1666 K Street, N.W., Washington, D.C. 20006.

'Kids with Kids," Leslie Aldridge Westoff, The New York Times Magazine, February 22, 1976.

#### Discipline

"A Guide to Community Leadership on the Discipline/Suspension Issue," Your Schools, January-February 1976, published by the South Carolina Community Relations Program of the American Friends Service Committee, 401 Columbia Building, Columbia, S.C. 29201, 4 pp.

'Alternatives to Suspensions," Your Schools, May 1975, (See above for

address), 31 pp., \$1.00.

Suspensions and Due Process, An Analysis of Recent Supreme Court Decisions on Student Rights, Robert F. Kennedy Memorial, 1035-30th Street, N.W., Washington, D.C. 20007, 20 pp., February 1975, \$.51.

The Student Pushout: Victim of Continued Resistance to Desegregation,

Southern Regional Council, (52 Fairlie Street, N.W., Atlanta, Georgia 30303) and Robert F. Kennedy Memorial, 1973, 83 pp., 1973, \$1.00.

The Rights of Students. American Civil Liberties Union, order from Avon Books, Mail Order Department, 250 West 55th Street, New York, NY 10019.

"Students Rights and School Discipline Bibliography," Project for the Fair Administration of Student Discipline, 1046 School of Education, The University of Michigan, Ann Arbor, Michigan 48104.

#### Children With Special Needs

Council for Exceptional Children, 1920 Association Drive, Reston, Virginia

National Association for Retarded Citizens, 2709 Avenue 'E' East, Arlington, Texas 76011; Government Affairs Office: 1522 K Street, N.W., Suite 516, Washington, D.C. 20005.

#### Title IX — Sex Discrimination

Title IX Regulation: Office of Public Affairs, Office for Civil Rights, Department of Health, Education and Welfare, 300 Independence Avenue, S.W., Washington, D.C. 20201.

McCune, Shirley and Matthews, Martha, Complying with Title IX: Implementing Institutional Self-Evaluation, Resource Center for Sex Roles in Education, National Foundation for the Improvement of Education, 1201 16th Street, N.W., Washington, D.C. 20036, 140 pp., \$3.00.

The Project on the Status and Education of Women, Association of American Colleges, 1818 R Street, N.W., Washington, D.C. 20009. Bernice Sandler - Director.

Project on Equal Education Rights (PEER), 1029 Vermont Avenue, N.W., Suite 800, Washington, D.C. 20005. Holly Knox - Director.

#### Title I - Compensatory Education

Lawyers Committee for Civil Rights Under Law, 733 15th Street, N.W., Washington, D.C., 20005. The Federal Education Project Newsletter. \* New Legal Requirements for Parent Involvement In Title I Projects. 4 pp., 1976. \* A Parent's Guide to Comparability. 20 pp., 1974, 25c

National Coalition of ESEA Title I Parents, 412 West 6th Street, Wilmington, Delaware 19801, William A. Anderson - Director

#### Racism and Sexism in Text Materials

Council on Interracial Books for Children, Inc., 1841 Broadway, New York,

Researched and written by Barbara Burton, Marlene Provizer and Linda Brown, Staff Specialists, Human Resources Department.



To: Local Leagues

From: Ruth Armstrong, Education Chair

Re: Governor's Bonding Bill

Date: April 7, 1981

LWVMN POSITION: Support of increased state responsibility in creating equal public

educational opportunities for all Minnesota children through measures to correct racial imbalance and insure adequate financing of

public schools.

Details: Correction of racial imbalance in the schools. The state should have the power to investigate, to set and enforce standards, and

to give extra financial help to achieve these standards (1967).

Included in the Governor's Bonding Bill is a \$2,000,000 appropriation for a magnet school to be built in Duluth's Hillside area, as a means to solve the problem of that area's noncompliance with state desegregation guidelines.

Through a prolonged series of public hearings, participated in by the Duluth League of Women Voters, it was determined that the magnet school idea would be the best solution to the problems. Two of the schools in that attendance area are very old and are in need of renovation or replacement.

The Legislature provided money for both St. Paul and Minneapolis about ten years ago, when these school districts were faced with solving the desegregation problem--just as Duluth is today. The precedent for this funding has been set.

The major bonding bill will be heard soon in House Appropriations and in Senate Finance. Please contact your legislators, if they appear on the following list, urging their support of this appropriation. Thanks.

#### SENATE FINANCE

Willet - 4	Knoll - 61	Renneke - 23
Penny - 30	Knutson - 53	Rued - 13
Ashbach - 48	Luther - 45	Sikorski - 51
Engler - 25	Menning - 26	Solon - 7
Hughes - 50	Nelson - 31	Spear - 57
Humphrey - 44	Pillsbury - 42	Stumpf - 64
Keefe - 40	Purfeerst - 24	Tennessen - 56

#### HOUSE APPROPRIATIONS

Sieben, M 51B Hokanson, S 37A Anderson, G 15B Anderson, R 10B Battaglia - 6B Berkelman - 8B Carlson - 44A Dean - 58A	DenOuden - 21B Ellingson - 45B Erickson - 26B Forsythe - 39A Haukoos - 31A Johnson, D 21A Kahn - 57A Kalis - 30A	Laidig - 51A Mehrkens - 25B Metzen - 52A Munger - 7A Nelsen, B 12A Osthoff - 64A Piepho - 29A Reif - 49B	Rice - 54B Samuelson - 13A Schoenfeld - 30B Stadum - 2A Staten - 56A Swanson - 37B Valan - 9B Voss - 47B Weaver - 19B Welch - 18A Welker - 20A Wieser - 35B Wynia - 62A
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CALL TO ACTION - CONSTITUTIONAL AMEND-MENT TO PROHIBIT BUSING

To: Local League Presidents

From: Pam Berkwitz, President, LWVMN; Joyce Lake, Action Chair, LWVMN; Joan

Higinbotham, LWVMN Human Resources Co-Chair

Date: July 19, 1979

Attached is a copy of the ACTION ALERT we have received from LWVUS which gives you the background information you will need for this CALL TO ACTION.

Please contact your Representative immediately with an official letter from your League and have as many members as possible contact him as individuals, urging him to oppose H.F. 74, the Anti-busing Constitutional Amendments.

Representatives Erdahl, Hagedorn, and Stangeland were the MN House members who signed a discharge petition allowing this amendment to be brought to the House floor, where it will be considered on July 24.

Your letters, calls, and Mailgrams to the Representatives are vitally important.

If possible, please send copies of your correspondence to State and National. Thank you.

JUL 6 1979

LEAGUE OF WOMEN VOTERS OF THE UNITED STATES 1730 M ST., N.W., WASHINGTON, D.C. 20036 . LEAGUE ACTION SERVICE . \$9.50 A SESSION

# Action Alert

SPOTMASTER ALERT: For latest developments on League issues call Spotmaster (202) 296-0218 from 1 p.m. on Fridays to 3 p.m. on Mondays (EST).

This is not going on DPM.

July 3, 1979

TO: State Presidents and Human Resources Chairs

FROM: Ruth J. Hinerfeld, President; Nancy Neuman, Action Chair,

Dot Ridings, Human Resources Coordinator

RE: Constitutional Amendment to Prohibit Busing

URGENT ACTION NEEDED FOR THE HOUSE OF REPRESENTATIVES

#### IMMEDIATE ACTION

A proposed constitutional amendment (HJ Res. 74) prohibiting busing for school desegregation purposes will be considered by the full House on July 24 at noon. There is not much time for action, so we are sending two copies of this alert to State Presidents for immediate action. Please pass one copy of the alert to your Human Resources Chair. Local Leagues should be alerted if time permits.

Call, write or mailgram all members of the House of Representatives urging them to defeat HJ Res. 74 when it comes to the House floor. This proposed constitutional amendment is a pernicious attempt to evade the nation's responsibility to desegregate our schools. The League has a long-standing commitment to racial integration of schools as a necessary condition for equal access to education. We support busing as one means of achieving integration. In addition, the League believes the courts' powers to fashion a remedy for a violation of the 14th Amendment should not be limited by constitutional amendment.

The courts have continued to view busing as an important tool in achieving desegregation. Recent examples of this were the July 2 Supreme Court decisions involving Dayton and Columbus, Ohio school systems. The Court upheld the position that a failure to act decisively to eliminate vestiges of past segregation amounted to a current segregation policy. These decisions reaffirmed the Court's position that school districts which abolished all mandatory segregation policies after the 1954 Brown v. Board of Education decision still have a responsibility to move to wipe out the effects of past segregation.

Leagues will recall that Rep. Mottl (D OH) had introduced the anti-busing amendment early in the session. (See June R/H for details.) He then circulated a discharge petition in order to move the proposed amendment directly from the House Committee on Judiciary to the House floor. Rep. Mottl succeeded in collecting the required number of 218 signatures on the petition. A 2/3 majority vote is required for passage of a constitutional amendment. With so many names on the petition, quick action is needed to alert all House members to this situation and to urge them to vote against HJ Res. 74 when it comes to the House floor.

#### MOTION TO DISCHARGE COMMITTEE

JUNE 27, 1979.

To the Clerk of the House of Representatives:

Pursuant to clause 4 of rule XXVII, I, RONALD M. MOTTL, move to discharge the Committee on the Judiciary from the consideration of the joint resolution (H.J. Res. 74), entitled "A joint resolution proposing an amendment to the Constitution of the United States to prohibit compelling the attendance of a student in a public school other than the public school nearest the residence of such student," which was referred to said committee January 15, 1979, in support of which motion the undersigned Members of the House of Representatives affix their signatures, to wit:

Ronald M. Mottl. Samuel L. Devine. Marjorie S. Holt. John H. Rousselot. David E. Satterfield. Frank Annunzio. Chuck Grassley. James T. Broyhill. Sam B. Hall. Andy Ireland. Earl D. Hutto. Bill Chappell. Joseph M. Gaydos. Robert K. Dornan. John M. Ashbrook. L. A. (Skip) Bafalis. Donald J. Mitchell. Tom Loeffler. C. W. Bill Young.

Robert (Bob) Whittaker.
Robert W. Davis.
Ray Kogovsek.
Thomas E. Petri.
Charles W. Stenholm.
Kent Hance.
Toby Roth,
Don Ritter.
William M. Thomas.
James A. Courter.
Richard Bruce Cheney.
Carroll Hubbard, Jr.
Thomas J. Tauke.
Bill D. Burlison.
John J. Rhodes.
Arlen Erdahl.

Charles Pashayan, Jr. James C. Cleveland. David F. Emery. Bill Royer. Elwood Hillis. Claude (Buddy) Leach. Michael O. Myers. Mickey Edwards. Jerry Lewis. J. William Stanton. John Buchanan. Mark Andrews. Beryl Anthony, Jr. Jack F. Kemp. Jack Edwards. Robert H. Michel. Bill Archer. Larry J. Hopkins. Carroll A. Campbell, Jr. H. Joel Deckard. Lawrence Coughlin. John P. Murtha. M. Caldwell Butler.

Ed Bethune.

Carl D. Pursell. Ron Paul. Tennyson Guyer. Delbert L. Latta. John B. Breaux. Norman D. Shumway. Ken Holland. Gene Taylor. Larry McDonald. Barry M. Goldwater, Jr. Robert J. Lagomarsino. Don Young. Manuel Lujan, Jr. Henry J. Hyde. Robert H. Mollohan. Lester L. Wolff. Joe Moakley. John G. Fary. G. William Whitehurst. Brian J. Donnelly. Robert E. Badham. Robert S. Walker. Norman F. Lent. Edward R. Madigan. John M. Slack. Jack Brinkley. Trent Lott. Eldon Rudd. Tom Corcoran. James M. Collins. Edward P. Beard. Charles E. Bennett. Gene Snyder. Clair W. Burgener. John D. Dingell. Austin J. Murphy. Phil Gramm.

Edward P. Beard.
Charles E. Bennett.
Gene Snyder.
Clair W. Burgener.
John D. Dingell.
Austin J. Murphy.
Phil Gramm.
Steven D. Symms.
Dan Marriot.
Richard T. Schulze.
David R. Bowen.
Lyle Williams.
Robin L. Beard.
Chalmers P. Wylie.
Philip M. Crane.
Dan J. Quayle.
William H. Natcher.
G. V. (Sonny) Montgomery.
George Hansen.
Harold C. Hollenbeck.
James H. Quillen.
Keith G. Sebelius.

William S. Broomfield.

Tom Hagedorn. Lamar Gudger. Arlan Stangeland. Robert A. Young. Robert W. Daniel, Jr. Don H. Clausen. James J. Blanchard. Dave Stockman. Thomas A. Luken. Leo C. Zeferetti. William E. Dannemeyer. Doug Barnard. John W. Wydler. Paul S. Trible, Jr. William F. Goodling. James G. Martin. Edward J. Derwinski. Douglas Applegate. Dan Daniel. Gary A. Lee. Robert E. Bauman. Bob Livingston. Wayne Grisham. Newt Gingrich. Billy Lee Evans. Bob Stump. Carlos J. Moorhead.

Nick Joe Rahall II. George M. O'Brien. Jerry Huckaby. Thomas N. Kindness. Walter B. Jones. Lucien N. Nedzi. John J. Duncan. William L. Dickinson. Tom Steed. Clarence E. Miller. J. Kenneth Robinson. Daniel B. Crane. Ray Roberts. William H. Harsha. Ike Skelton. Gladys Noon Spellman. Marilyn Lloyd Bouquard. Jack Hightower. David W. Evans. Ron Marlenee. Richard C. White. Thomas B. Evans, Jr. John Paul Hammerschmidt. Joseph M. McDade. David C. Treen. Floyd Spence. Mary Rose Oakar. Matthew J. Rinaldo. Bo Ginn. Don Bailey. James Abdnor. Gus Yatron. Ronnie G. Flippo. Larry Winn, Jr. Jim Santini. Richard Kelly. Norman E. D'Amours. John W. Jenrette, Jr. Eugene V. Atkinson. Marvin Leath. Virginia Smith. Willis D. Gradison. Mario Biaggi. W. Henson Moore. Bud Shuster. Bill Nichols. Tom Bevill. Ed Jones. Wes Watkins. Tim Lee Carter. William C. Wampler. Dan Mica. Ed Jenkins. Glenn English. Joel Pritchard. Guy Vander Jagt. Edward J. Stack. E. Thomas Coleman. Clement J. Zablocki. Floyd J. Fithian. Harold Runnels. Richard A. Gephardt. Richard C. Shelby. Glenn M. Anderson. Les Aspin. Robert C. McEwen. William F. Clinger, Jr. Charles F. Dougherty. Dan Lungren. Gerald B. H. Soloman. Jim Jeffries. William Carney. Ken Kramer. Harold S. Sawyer. Jon Hinson. Donald Joseph Albosta. Richard H. Ichord.

F. James Sensenbrenner, Jr.

Beverly B. Byron.



# memorandum

This is going on DPM

July 10, 1978

TO: State, Local and ILO League Presidents

FROM: Dot Ridings, HR Coordinator; Joanne Hayes, Women's Chair: Nancy Neuman, Action Chair.

RE: Requested Action for Title IX's Sixth Anniversary

This memo is to update you on HEW's inadequate enforcement of Title IX, the problems that remain in eliminating patterns of sex discrimination in education, why your support for Title IX is needed and what you can do. Action is especially timely, since June 23, 1978 marked the sixth anniversary of the passage of Title IX and on August 26 Leagues will be observing Women's Equality Day.

Background on Title IX

Congress passed Title IX of the Education Amendments of 1972 to outlaw sex bias in federally assisted education programs and activities after extensive investigation into pervasive sex discrimination in education.

Title IX explicitly states that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." Title IX regulations specifying requirements for schools to come into compliance with the law apply to the treatment of students and employees and affect a number of areas, including student access to programs, athletics, counseling, employment, financial aid, and housing. The breadth of the law means that nearly all of the 16,000 public school districts and over 2,700 post-secondary schools are covered by Title IX.

Title IX represents the most recent federal effort to ensure guarantees of educational opportunities. The history of civil rights, legislation shows that when the federal government is committed to enforcing the law, the administrative enforcement mechanism can be a powerful force in combating discrimination.

June 23, 1978 marked the sixth anniversary of congressional enactment of Title IX. To mark that occasion, the League of Women Voters of the United States, along with 32 other national organizations that are members of the National Coalition of Homen and Girls in Education, participated in a Title IX anniversary event -- a Break-the-Red-Tape Run and rally held on June 26 to call attention to HEW's failure to enforce Title IX.

Und er our Human Resources position supporting action to provide equal access to education the LWVUS worked for passage of Title IX. Since its passage, the League has pressed for enforcement at the federal level. Initially we worked for promulgation of regulations to implement the law, and subsequently we have continually urged federal officials to enforce Title IX requirements and to assist school districts in complying with Title IX. The LWVUS has also opposed congressional attempts to weaken Title IX requirements. Many Leagues around the country watchdog Title IX at the local level.

The Federal Enforcement Record

The Office of Civil Rights (OCR) at HEW is responsible for compliance and enforcement activities. Despite efforts on the part of the League and other groups to bring about Title IX enforcement, the federal enforcement record has not shaped up. HEW's record has been woefully inadequate.

- \*HEN took 3 years to develop final regulations after Title IX was passed.
- \*HEW has not yet collected all of the assurances of compliance that institutions were originally supposed to submit in 1976.
- \*HEW has never applied administrative sanctions against institutions that refuse to comply with Title IX.
- \*HEW is under court order to complete approximately 1,400 unresolved Title IX complaints by October 1, 1979, as a result of a 1974 lawsuit charging poor Title IX enforcement, but the Department is already behind on its own timetable for resolving these complaints.
- \*HEW has failed to resolve 150 investigated cases that are ready for final action and that have been delayed an average of 8 months apiece. Nearly half of these cases concern discrimination in employment, 20% charge discrimination in athletics and 19% are complaints about students dress and conduct.
- \*HEW has announced only 4 policy rulings within the past 18 months; none of them touch on the issues most relevant to complaint resolution. HEW must reexamine its policy development process and establish clear priorities on those issues that will frame Title IX as a civil rights enforcement issue.

Why Your Support is Needed

The federal enforcement record clearly shows that Title IX is in a critical stage, and the sixth anniversary is an excellent occasion to call attention to it. We believe that the time has come to generate a show of grassroots support for Title IX. Opposition to Title IX has been strong and often ill-informed. Policy makers need to hear that citizens want to see Title IX enforced. On August 26, Leagues around the country will be observing Women's Equality Day -- a good opportunity to remind the public and public officials that women have not yet achieved full equality in this country, including equal access to educational opportunities as guaranteed by Title IX.

What You Can Do

Write to President Carter and HEW Secretary Califano to express your concern that the federal government must fulfill its mandate to erase sex discrimination in education by carrying out all its responsibilities under the Title IX law. A vigorous enforcement stance should include efforts to publicize Title IX nationwide.

Write to your members of Congress to urge opposition to any legislative attempts to weaken Title IX. Also ask them to write to HEW in support of Title IX enforcement. You can mention Women's Equality Day, what it stands for, and how federal enforcement of Title IX would be a major step toward full equality. You can also refer to the specific problems with HEW's inadequate enforcement such as the examples cited in this memo on policy promulgation and complaint resolution. If you know of specific problems in your school district, such as examples of non-enforcement, unresolved complaints, or ways in which lack of clear policy has affected school children, mention them. If you want

-3to mention examples of the continuing problems of sex discrimination in education, refer to examples mentioned in the next section: student access problems with vocational education, athletics and counseling, and employment problems. Examples from local experience, however, will be particularly effective. The LHVUS has always stressed that citizen monitoring is essential if the goals of Title IX are to be achieved. If you're not already monitoring Title IX, you can look into the findings of the school system's self analysis and talk with the designated Title IX coordinator. Both the self-analysis and appointment of a Title IX coordinator are required by the regulations. For a good monitoring tool, refer to Cracking the Glass Slipper; PEER's Guide to Ending Sex Bias in Your School (PEER, 1029 Vermont Avenue, N.W., Suite 800, Washington, D.C. 20005). For more background on the history and requirements of Title IX, refer to the 1978 Winter VOTER ("Equal Rights in the Schools: A report card"; Current Focus on Education: Issues in Equity ("Sex Discrimination and Title IX")(Pub. No. 305, 75¢); the HR Section of the January 1978 National Board Report. As with all other action items, please send copies of your letters and responses received to the national office. This information, especially if it includes local examples, will be very helpful to our work in Washington. What are Some of the Continuing Problems of Sex Discrimination in Education? 1. Student Access Girls remain -- too often due to lack of choice -- heavily concentrated in certain traditionally "female" courses. According to HEW's most recent available statistics (from Vocational Preparation of Women, Joann Steiger and Eleanor Stanton) in 1975 42% of all female students in vocational education courses were taking homemaking; 26% were studying office skills; and only 5.1% were in courses designed to train them for jobs in the higher-paying trades and industries. Although a 1974 OCR special survey of vocational and technical schools showed extensive race and sex dis crimination in vocational education classes, OCR has never effectively followed up on its findings. 2. Athletics The disparity in support for boys' and girls' athletic programs is perhaps the single most visible piece of discrimination in American education. A 1977 survey of high school sports conducted by the National Federation of State High School Associations reported that in 1971, boys' participation in high school sports was 12 times greater than girls. Since that time, girls' participation in varsity high school sports has gone up 460%. However, the same study shows that high schools are still offering boys more than twice as many chances to play team sports as girls get, with the accompanying differences in expenditures. At the collegiate level, a June 26, 1978 Time article estimated that even the best women's athletic programs have to get by on budgets of only 19-15% the size of men's programs at the same institutions. Counseling Guidance counselors still steer girls and boys into stereotyped and conventional career choices. As we all know, many counselors continue to steer girls away from high-income careers, like medicine, that have long training requirements.

4. Employment

Although women outnumber men as classroom teachers by roughly 2-1, the most recent figures from the National Education Association show women serving as principals in only 13.5% of the nation's schools. Women superintendents accounted for a miniscule one-tenth of one percent of the total. Moreover, the statistics for female school administrators show a 2% decline for the last several years.

At the university level, in 1975 only 9% of the country's full-time tenured professors were women. Presently, only two presidents of coeducational institutions are female.

League of Women Voters of the United States 1730 M Street, N.W., Washington, D. C. 20036 Tel. (202) 296-1770



## news release

Contact
Betsy Dribben
Public Relations Director
296-1770 ext. 263

FOR IMMEDIATE RELEASE THURSDAY, JUNE 16, 1977

Washington, D.C.--Describing the Biden-Roth anti-busing bill, S.1651, as "unconstitutional," Mrs. Ruth C. Clusen, president of the League of Women Voters of the U.S., today warned that Senate passage of the bill "would prove disastrous for communities trying to peacefully implement school desegregation orders."

In a statement submitted to the Senate Judiciary Committee which is holding hearings on the legislation, Mrs. Clusen said: "It is ironic and disheartening that so much time and effort continue to be expended by so many people on subverting a principle that is so basic to American justice. Repeated sophisticated attempts to skew the American ideal of equality for all are a travesty to the concept of justice."

The League, in outlining its reasons for strong opposition to the current legislation, said they believe that the provision which stays implementation of court orders until all appeals have been exhausted would wreck communities' chances for peaceful desegregation efforts. "Experience should have taught us by now that delaying tactics and lack of official preparation for desegregation plans exacerbate rather than resolve community tensions, as they did in the case of Boston," Mrs. Clusen said.

She also told the Senators that the League believes that passage of the bill "would be in direct contravention of the principle of separation of powers, since it permits Congress to dictate to the courts how to perform their duty of interpreting the Constitution and fashioning remedies for violations."

The League, which has been a leader in efforts to ensure equal education for all, has been a strong voice in support of busing as a means of ending racial discrimination in schools. To achieve these goals, the League has testified on numerous occasions

before the Congress to express opposition to legislation "that would have eroded the progress made toward achieving the goal of equal educational opportunity." Mrs. Clusen went on to say that "Our stand has not changed. We strongly oppose this latest attempt to subvert school desegregation efforts." She added that the legislation "would drastically limit the kinds of school desegregation remedies that could be implemented." The League voiced particular concern over the impact the Biden-Roth bill would have on the disadvantaged in communities. "Restricting remedies to the 'particular schools affected by the constitutional violation,' would mean, particularly for the many communities with large concentrations of poor and minority children, continuing to disadvantage the most disadvantaged members of the community. It would cut off the likelihood of including all segments of a school age population in a remedy, thus negating solutions such as those that have proven to be the most successful examples of stable desegregation plans," she said. In order to show how desegregation efforts were proceeding and the negative impact that passage of the Biden-Roth bill would have on them, Mrs. Barbara Crowell, a Wilmington League of Women Voters member from the two Senators' home state, appeared

before the Committee to testify on behalf of the Wilmington League and to describe Wilmington, Delaware's experience.

Leagues around the country have been involved in a wide array of community projects to help implement successful and peaceful desegregation. Projects have included rumor control centers, disseminating citizens' information, and in some areas going to court to support or preserve desegregation efforts.

# # #

Reporters please note: complete texts of both statements attached.

League of Women Voters of Minnesota, 555 Madasha, 55. Paul

December, 1972

Statement by the League of Women Voters of Minnesota to the Minnesota State Board of Education Public Hearing on "Regulations Relating to Equality of Educational Opportunity and School Desegregation."

December 1, 1972 at the St. Paul Technical Vocational Institute

The Minnesota League of Women Voters supports the goals of the proposed regulations relating to equality of educational opportunity and desegregation. We agree that the responsibilities of the State Board of Education include the leadership necessary to assure the children of this state equal access to those opportunities provided by our educational institutions. The previously published guidelines have accurately stated, we believe, the harmful effects of segregation and the desirability of ensuring opportunities for developing the natural talents of each child. We feel the citizens of Minnesota support the basic tenet that children of various neighborhoods and areas should not be denied the benefits and advantages available to children in other parts of the same school system. Residential patterns caused by economic barriers and racial overtones should have no place in the determination of opportunities available to children.

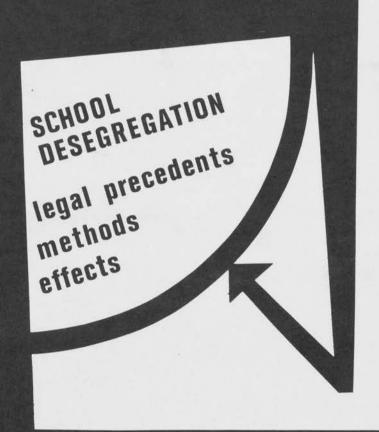
The League of Women Voters of the United States has studied the problems of poverty and discrimination since 1964. Nationally we adopted support for the principle that "the state is responsible for all its citizens on an equal basis" and we have pledged to work to ensure equal treatment for all citizens by all levels of government. At the federal level this has meant support for welfare reform and OEO programs and opposition to antibusing legislation, which would effectively eliminate one of the tools available to local districts to aid in desegregation. We hold no brief for busing as such but recognize the necessity to provide options for school boards, particularly in view of the patterns of discrimination that can develop in housing.

Our state organization includes 67 local Leagues, composed of members of both political parties, independents, conservatives and liberals. Local Leagues exist in small rural communities, larger cities and trading centers,: and in metropolitan areas. The Leagues in Minnesota participated in a study of our human resources with emphasis on civil rights and discrimination in the nation as a whole and in Minnesota in particular. We have surveyed equality of educational opportunity in Minnesota and the general responsibilities of the state in relation to local school districts. We have found wide variations in the quality available throughout the state, with a variety of underlying causes. The state has attempted to equalize some of these inequalities through financial aids and other assistance through the State Department of Education. The League of Women Voters contends it is also appropriate for the State Board to face the inequalities caused by racial and economic imbalance and to attempt to implement policies which will alleviate these problems. Our members wish to encourage the State Board to give aid and support to local school boards and districts in providing equal educational opportunity for all Minnesota children.

Individual local Leagues, particularly those in the cities and in school districts which will be most directly affected, have been consistent and energetic in their support of theses guidelines. They encouraged their local districts to adopt plans within the framework of the guidelines, and they are present today to speak for their members. Other Leagues throughout the state and individual members have urged us to express again our agreement with the State Board and to reiterate our belief that the methods recommended by the Board are consistent with the goals of our organization.

lath Us I new

FILE COPY



BY THE LEAGUES OF WOMEN VOTERS OF THE DETROIT METROPOLITAN AREA



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# current focus

League of Women Voters Education Fund

May, 1971

# just schools

hope

my hopes are dreams
and wished too
I hope they someday
will come true.
I hope for brotherhood
and for peace to come
all races and creeds
under the Sun
together.

susan wright, age 11

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The poem on the front cover comes FROM CHILDREN WITH LOVE, by 200 children of Columbus Intermediate Berkeley Unified School District.

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### JUST SCHOOLS

Seventeen years ago, in the landmark Brown decision, the U.S. Supreme Court mandated that de jure segregated school systems in the United States be abolished "with all deliberate speed." In the fall of 1970, with much less than "deliberate speed," the last remnants of dual systems in the South had all but disappeared—leaving only about 50 of the 4,350 southern school systems still to desegregate. In 1969, the Supreme Court targeted the 1970-71 school year as the deadline for compliance with the 1954 Brown decision, by declaring that de jure segregated school districts must unify "at once." A year before in the 1968 Green v. Kent County decision, the high court had defined a unified system as one in which there were no "white" schools, no "Negro" schools — "just schools."

Among questions left unanswered by Brown and subsequent decisions was the extent to which the courts could determine what techniques districts must use to desegregate. On April 20, 1971, in Charlotte-Mecklenburg v. Swann et al., the Supreme Court ordered an end to legally enforced racial segregation by the use of "all available techniques," including busing. The court also justified "a frank—and sometimes drastic gerrymandering of school districts and attendance zones" to bring about the end of school segregation.

In addition to the mandates of the courts, school districts are subject to federal civil rights laws—particularly Title VI of the 1964 Civil Rights Act.

#### About Title VI

Title VI prohibits discrimination based on race, color or national origin in federally-assisted programs and activities. School districts must comply with Title VI or be subject to termination of federal funds. Actually, termination has been used less and less in recent years. More often cases are referred by HEW to the Department of Justice which obtains court orders to restrain districts from operating dual systems. This method takes only a matter of days while termination proceedings may take several months. At this writing, federal education funds are being withheld from only one southern school district though 500 districts were informed that they were subject to termination after Title VI began; in about half that number, funds actually were cut off but the districts have since come into compliance.

Southern school districts, which need help in complying with court orders and federal laws, get assistance from two federal offices. The Office of Civil Rights (OCR) at the U.S. Department of Health, Education and Welfare (HEW) provides legal assistance under Title VI, while, at the same time, the Division of Equal Opportunity in the U.S. Office of Education provides technical assistance under Title IV.

The "legal" end of dual school systems in the South has not meant the end of discrimination. In many areas, it persists in the form of segregated classrooms, segregated bus routes, and unequal treatment of black faculty and staff. Under many of the plans approved by HEW or by the courts, school districts may desegregate—i.e., meet the requirements of the law—and still operate a number of all-black and all-white schools or permit segregated classrooms in "integrated" schools—thus allowing virtually no integration to take place.

Racial isolation and discrimination persist in the North and West too, but it is most often attributed to de facto considerations—a result of supposedly accidental housing patterns. In fact, much of this segregation might be caused or at least encouraged by local, state or federal government action on such matters as drawing school boundaries, choosing school building sites and allowing exclusionary zoning restrictions. Thus, the distinction between de facto and de jure may really be a polite legal fiction. This fiction may be revealed more clearly now that OCR is turning its attention to segregated schools in several of the nation's large school systems in the North and West.

Similar problems face urban school districts—whether they are in the North or the South. "White flight," coupled with housing discrimination against minorities, causes resegregation and aggravates problems of school financing. School districts that want to desegregate—whether for moral or legal reasons—are now looking to the federal government for money to make integrated education programs attractive to blacks and whites and to halt the resegregation process.

This CURRENT FOCUS looks at the progress of school desegregation to date and at the price paid for it by southern black students and school personnel. It also describes one successful integration plan in the West which may have some lessons for other communinities. Finally, it reports on the substance of proposed legislation to provide federal aid and national direction for desegregation and quality integrated education.

# WHERE WE ARE

## The Courts

A long series of questions left unanswered by Brown have since been dealt with by other federal and state court decisions. For example, Brown decreed that school districts abolish dual systems but it did not define "unitary." In 1969, the Green "just schools" decision clarified the issue, by defining a unitary system as one in which schools are not racially identifiable, whether through faculty, student body, or otherwise. The courts have also rejected desegregation based on geographic attendance zones where they found that the zones were imposed on existing segregated residential patterns and thus effectively prevented integration. Courts have held, too, that zoning which leads to racially identifiable schools is presumptively unconstitutional.

Until the Supreme Court's April 1971 busing decision, two major areas concerning school desegration remained undefined: (a) the extent of the courts' jurisdiction in determining what techniques districts must use to desegregate and (b) the constitutional distinction between de jure and de facto segregation. The second question still remains unanswered. The Charlotte-Mecklenburg busing decision avoided the issue by dealing exclusively with "state-imposed segregation" and not segregation that results from action in other areas of government-especially housing decisions. "We do not reach in this case the question whether a showing that school segregation is a consequence of other types of state action, without any discriminatory action by the school authorities, is a constitutional violation requiring remedial action by a school desegregation decree." A future court case will probably lead to a ruling on the constitutionality of housing-related racial concentrations in schools.

The court did respond, very strongly, to the issue of the degree to which courts can order busing and other techniques to bring about desegregation. Declaring that "desegregation plans cannot be limited to the walk-in schools," Chief Justice Warren E. Burger spoke for the entire court in the most important school integration decision since Brown.\*

In brief, the Supreme Court decided that judges may order busing, establish racial quotas, order pairing and/or gerrymander districts to undo segregated systems established by law. It declared that:

busing is a constitutional and sometimes indispensable method of eliminating "the last vestiges" of racially segregated schools; "Bus transportation

\*The court heard three related cases last fall from Athens, Ga., Mobile, Ala.,

and Charlotte-Mecklenburg, N.C. The League of Women Voters of the U.S.,

of North Carolina and of Charlotte-Mecklenburg were friends of the court in

the latter. The federal government, through the Justice Department, was an amicus also, but on the other side—on behalf of the defendant, the Charlotte

has long been an integral part of all public educational systems and it is unlikely that a truly effective remedy could be devised without continued reliance upon it."

• on the matter of racially identifiable schools in desegregated systems, the court allows a small number of one-race schools but the burden is on the school districts to satisfy courts that such schools are not the result of present or past discriminatory action on their part.

In any case, the court stated that one-race schools should be viewed critically since their existence creates a presumption of discrimination.

- racial balance is not required by the Constitution but percentages may be used as a starting point in shaping remedies;
- once desegregation has been accomplished, no year by year adjustments are necessary.

The potential for change inherent in this decision is extensive since it will affect the large urban areas of the South where the least amount of integration has occurred. The impressive rise in the number of black children in majority white schools—by HEW's statistics—is a result of desegregation in small and rural districts.

## HEW's Statistics

On January 14, 1971, HEW released statistics for the 1970-71 school year which showed an increase in the percentage of black children enrolled in majority white schools.\* This improvement in nationwide school integration is due to strides made in the South this past year—little change took place in the North and West.

enrol	centage of Negro ch led in majority whit chools in 1968-70	
		Increase
Nationwide	23.4 to 32.8%	9.4%
South (11 states)	18.4 to 38.1%	19.7%
North and West	27.6 to 27.7%	.1%

Since 47.5% of all black pupils in the nation attend school in districts where minorities (Blacks, Chicanos, Orientals, American Indians) outnumber whites, according to HEW, "it is mathematically impossible for many minority students to attend schools that are majority white." Of these predominantly minority group districts, 39.4% are in the South, and 20 are among the nation's 100 largest districts.

-Nationwide, in districts that are majority white, 54.4% of the black pupils attend majority white schools.

-In the South, 56.2% of black children in majority white districts attend majority white schools.

Over 30% of white pupils in predominantly minority group districts attend schools where the minority enrollment exceeds 50%. In the South, the percentage of white pupils is 38.3.

A decline was noted in the percentage of blacks attending 100% minority schools in the South-from 68% in 1968 to 18.4% in 1970.

What do these figures mean? First, they indicate that, in the South at least, dual systems are coming to an end. Second, they make the snail's pace of integration efforts in the North and West very conspicuous. However, they do not measure the extent to which discrimination persists.

Some would argue that once legal desegregation requirements have been met, as supposedly is now the case in the South, the job is done. But there is much yet to be done. Several surveys conducted in the South last fall documented cases of in-school segregation and demotion and dismissal of black faculty and staff.

# The South

# The Disappearing Black Principal

There is no way to gauge the tremendous loss to the black community and to the nation brought about by the vanishing of the black principal. "Since the best Negro minds have traditionally gone into education, it remains the greatest single reservoir of talent and skill so necessary to the changing South, and the deliberate destruction of this valuable resource is one of the tragedies of our time," said J.C. James in The New Republic, September 26, 1970.

The displacement of black principals is one of the most disturbing end-products of the desegregation of southern schools. In the term "displacement", the National Education Association (NEA) includes: any change in position—dismissal, demotion, lateral transfer, forced resignation or "promotion" to jobs with fancy titles but little or no responsibility or authority. A survey by the Race Relations Information Center for the U.S. Office of Education found that in North Carolina in 1967 there were more than 620 black school principals. In the fall of 1970 there were less than 170. In the same period, the number of Alabama's black principals declined from 250 to about 50. James stated that in Kentucky, in 1954, there were 348 black principals: in 1969-70 there were only 36 left.

An NEA Task Force did a special study in Louisiana and Mississippi in September 1970. The study confirmed that the black principal though not the only casualty is certainly the most serious. The report states that what is happening is not integration but disintegration, "the near total disintegration of black authority in every area of the system of public education."

The Washington Research Project (WRP) and five other civil rights groups\* monitored 467 desegregating

\*The Washington Research Project is a private organization concerned with problems of poverty, education and race relations. The other groups are: American Friends Service Committee, Delta Ministry of the National Council of Churches, Lawyers' Committee for Civil Rights Under Law, Lawyer's Constitutional Defense Committee and NAACP Legal Defense and Educational Fund.

southern school districts last fall. The WRP report, The Status of School Desegregation in The South 1970, found that 34 districts have dismissed black principals and 194 have demoted them. In these 194 districts, 386 principals were demoted to inferior positions—mostly to assistant principalships under white principals and often in spite of their better qualifications and tenure. Monitors found no instances of white principals being assigned to lower level schools, but they did find cases where this happened to black senior and junior high principals. In 94 cases, black principals were made classroom teachers.

## Band Leaders and Coaches

The effect of the displacement of the black principal cannot be calculated, since he is a symbol of authority for so many black children in the South. But black band leaders and head coaches—other symbolic figures—are also fast disappearing from the school scene in the South. The NEA study found that no district in Mississippi or Louisiana employs a black as head coach of a desegregated high school. The Race Relations Center survey and the WRP report also found demotions and dismissals of coaches and band leaders widespread. The NEA report noted that in many districts black students are no longer going out for varsity sports and therefore are not receiving athletic scholarships.

## Classroom Teachers

School staff members are supposed to be hired, assigned, promoted, paid, demoted (i.e. given less pay, less responsibility, a position where less skill is required and/or assignment outside a field of specialty), dismissed, and otherwise treated without regard to race, color, or national origin. These are the requirements of a federal court ruling—the Singleton decree—nominally adhered to by the Departments of HEW and Justice. If the change from a dual to a unitary system causes a reduction in the teaching force, the Singleton decree requires that school districts not change the ratio of black to white teachers. New vacancies must be filled by qualified persons of the same race, color or national origin as departing personnel, until such applicants are not available.

According to all reports, this decree has been widely ignored. In 1968-69, the Race Relations Center found that there were 9,015 black teachers in 108 southern school districts in six states; in these same districts in 1969-70 there were 8,509 black teachers and in 1970-71 there were 8,092. In these three years, the total number of teaching slots rose by 615 while the total number of black teachers fell by 923. In Alabama, it is estimated that one third of the 10,500 black teachers have been dismissed, demoted or forced to resign. In Florida, over the past three years, about 1,000 black teachers have been dismissed, while the total number of teaching positions rose by 7,500. In addition, the report noted a concurrent decline in the number of new black teachers hired, suggesting that there is discrimination in hiring.

The WRP report found that 127 districts of the 467 monitored had dismissed 462 black teachers by not re-

<sup>\*</sup>During the summer of 1970, the Department of Justice reported that 90% of the school systems in the South were desegregated. The 90% system-wide figure was hailed by the Administration as indicative of outstanding progress in school desegregation. However, the meaning of these figures was challenged by civil rights groups because they deviated from HEW's traditional statistical format, i.e., reporting the number of pupils in desegregated schools. HEW's January 1971 release conformed to the traditional format.

newing their contracts. In one Texas district, black teachers received mimeographed form letters advising that they were "no longer needed" but the district soon hired new white teachers. In 103 districts black teachers were demoted. Some were reassigned to subjects outside their field of specialty, thereby leaving them vulnerable to the possibility of later being dismissed for incompetency. Others were assigned to lower track and vocational classes, or to lower level schools: very few retained positions as department heads. Some were even demoted to nonteaching jobs. In an Arkansas school district, a black teacher with a master's degree in education was given study hall duty last year. This year he is driving a bus and teaching shop.

In 78 of the 200 districts for which information on black/white teacher ratios was available, clear violations of the Singleton rule were found. According to the WRP report, "Not a single school district has been terminated (under Title VI) by HEW for discrimination against black principals or teachers," although hundreds of complaints have been filed. The survey done by the Race Relations Center states that there is a '...pervasive feeling that the federal government can't or won't help rectify the situation. The only effective recourse seems to be through the courts, and there is still a dearth of black and white lawvers willing to take such cases." Even if there is a lawyer available, fear may prevent teachers from acting. The survey also points out that teachers who do protest demotion are often dismissed for insubordination.

On August 6, 1970, HEW Secretary Richardson and I. Stanley Pottinger, OCR Director, promised that a memorandum would be issued within 10 to 15 days outlining school districts' responsibilities under Title VI regarding treatment of minority faculty and staff. At the time of the WRP report, nearly five months later, the memo had not been issued. On January 14, 1971, however, Pottinger did send a memo to Chief State School Officers about discrimination in elementary and secondary school staffing practices. The memo stated HEW's "policy to make further inquiry into staffing practices whenever it appears...that a school district may be making its assignment to teachers or staff to particular schools on a basis that tends to segregate, or that the racial or ethnic composition of its staff throughout the system may be affected by discriminatory hiring, firing, promotion, dismissal or other employee practices." If evidence of discriminatory assignment is found, "...the school district will be requested to assign teachers so as to correct the discriminatory pattern." If discrimination in hiring, promotions, demotions, or dismissals is found, "...the school districts will be requested to develop a plan for prompt corrective action." If the deficiency is in overall school district staff ratios, "...the school district may be asked to develop a plan designed to achieve a racial and ethnic composition of its total staff which will correct the distortion.'

Mrs. Marian Wright Edelman, director of the Washington Research Project, in testimony to the Senate Education Subcommittee, characterized the memorandum as being "prospective and too weak to be effective."

Discrimination Against Black Children

There is clear evidence of even more widespread discrimination against black school children. The WRP report documents hundreds of examples of such discrimination and states, "Federal desegregation plans must deal with problems of black children within desegregated schools in as great detail as they have come to deal with problems of student and faculty assignment to schools." The report urges speed in dealing with these new forms of racism since "face-to-face discrimination against black children may do more direct and lasting harm to their 'hearts and minds' than did the old systems of isolation and separation."

In 273 of the 467 monitored districts, classrooms and facilities were segregated. Commonly, whites and blacks were assigned to separate classrooms. Much of the separation was done on the basis of tests, usually administered for the first time with the advent of desegregation and despite the fact that federal law prohibits such testing when it results in racial isolation. Some school districts have even used federal funds from Title I of the Elementary and Secondary Education Act (ESEA) to conduct such "tests."

Students were also separated within the classroom. In one history class, blacks were seated on one side of the room, whites on the other, with a row of empty desks down the middle. In another, black students sat in the back, while whites sat in the front.

Twenty-one of the districts discussed in the report had segregated cafeterias, dressing rooms and recreation areas. Eighty-nine of the districts operated segregated bus systems—usually in the form of duplicate routes but also in the classic Jim Crow pattern of blacks in the back. In one Florida junior high school, classes were "dismissed an hour and half before the senior high; black students had to wait for the rest of their bus load for nearly two hours, while a bus left right after school to take white junior high school students home, going right by many black students' homes on the way."

Discrimination also occurred in extracurricular activity-in social events, student government and student organizations, in athletics, cheer-leading and in band. In one Texas town "black students who moved to the desegregated high school...were told to turn in their Honor Society pins and were not allowed to join the society at their new school." A crucial erosion of black identity is occurring with the disappearance of the names of former black schools and in the loss of black mascots, trophies, songs and symbols. In Carthage, Texas black high school students are not allowed to wear award jackets, sweaters, or colors from their old high school, and in a South Carolina school, black band members were suspended when they refused to play "Dixie." In the former black high school in Orangeburg County, South Carolina all black trophies and pictures were replaced by white ones.

Black student reaction to these overt acts of discrimination has taken many forms and is often misinterpreted as meaning that blacks do not want integration. Within six weeks after school opened in the fall of 1970, 152 districts had expelled blacks and 95 had expelled whites. Five times as many black students as white students were involved. While whites were expelled gen-

erally for school discipline problems, over 80% of the black students were expelled for participation in protests or demonstrations.

Segregated Academies

According to a special report by Roy Reed in the New York Times, November 27, 1970, the number of all-white private schools in the South nearly doubled in the fall of 1970: about 300 more schools were opened, bringing the total number of new private schools established in the last five years to 700. Most of them are in predominantly black districts.

The Southern Regional Council reported that the number of white pupils at southern segregated private schools has jumped from 300,000 to about 450,000, since the Supreme Court's 1969 decision that dual systems must integrate "at once".

The NEA Task Force found that public buses are frequently used to carry students to private schools, some of which are former public school buildings, now leased or sold to private interests. Textbooks and other school equipment bought with public money are sometimes loaned or given to private academies. In Louisiana, the state legislature appropriated \$10 million for private school teachers' salaries. However, a court ruling held that Louisiana's "Secular Educational Services Act of 1970" was unconstitutional.

NEA also discovered that public school tax rates are often lowered after whites leave the system—leaving the remaining black schools in a financial crunch. The New York Times article reports that the new white schools are suffering from financial problems too. In conversations with educators, public officials and other observers, interviewers found "that probably not more than 25 of the new academies come close to matching, in over-all quality, the public schools that their students fled from." Other reports indicate a gradual return of whites to public schools—probably a result of the inferior quality of the hastily established schools.

The Internal Revenue Service (IRS) has declared that contributions to schools which discriminate on the basis of race are not tax-deductible. The impact of this declaration on segregation academies is questionable. All that schools must do to qualify for tax-deductibility is to state publicly an open admissions policy, but the IRS has no affirmative monitoring process to determine the extent of "open admissions."

During the 1970 hearings of the Senate Select Committee on Equal Educational Opportunity, Senator Walter Mondale (D., Minn.) questioned the IRS about a school in Siloam, Georgia. Mondale asserted that the school had 120 white pupils last year, and 300 this year —but no black students. In addition, the school has an all-white faculty, has reportedly purchased a former public elementary school for \$100, and charges students \$400 tuition and a \$250 "building fund contribution." Needless to say, the charges are prohibitive to many rural black families (as well as to many white ones).

Mondale asked the IRS about assurances that the school had an open admissions policy and was told that assurances generally take the "form of statements in brochures made available in the community." A week

later, Mondale accused the IRS of deception, saying that the IRS "waited until September school enrollments were closed and classes were filled without a single black admission and then suspended exemptions of only those 11 schools which refused to promise they would open their doors to black students." The timing meant that many academies would be able to operate all-white schools during the 1970-71 year.

## Freedom of Transfer

Another, perhaps more subtle, phenomenon seems to be taking hold in many areas. For lack of a better term, it is referred to as "freedom of transfer," and is an attempt by recalcitrant whites to resegregate "legitimately." Many white students have transferred out of their assigned schools to attend other schools, especially in cases where they were in a minority. Sometimes, it is done without the knowledge or even covert approval of school officials; in other cases school policy allows such transfers.

HEW, for example, is now reviewing the transfer of many white students in Prince Georges County, Maryland from predominantly black schools. It was expected that 441 whites would attend one high school with a total enrollment of 1,050. At the end of September, only 218 white students were actually attending the school. Some of the whites transferred to private schools; others received permission to go to other public schools after claiming family hardship and illness; the rest are unaccounted for. Until the review is complete, there is no way to judge what was done with the knowledge and tacit approval of school officials.

A related mechanism for avoiding integration is the use of different schools for different subjects, so that whites don't have to stay in black schools all day or in classrooms with black teachers. NEA reports that Tallahatchie County, Mississippi buses its high school pupils between two schools—"an altogether strange phenomenon in a region so antipathetic to busing."

#### What Makes the Difference

Acts of noncompliance and repression are commonplace in the South. However, as Paul Gaston, in an article in South Today, December 1970, said: "In those schools where whites and blacks have created successful integration, one common, crucial factor has been intelligent community leadership. In districts where desegregation has been a failure—where true integration has never had a chance—community leadership has ranged from good-intentioned mindlessness to outrageous intransigence. Two conclusions are inescapable: (1) integration of southern schools is not simply a desirable goal, but a viable one as well; (2) the speed with which that goal is reached depends heavily on how the crisis of leadership is resolved in southern communities."

# The North and West

Outside the South, crises of leadership also determine the workability of school desegregation. Although there is no constitutional mandate for ending de facto segregation, many school districts and states in the

North and West have voluntarily tried to achieve some measure of integration. However, the outlook on the whole, is not much more promising than it is in the South. Like the South, there are many cases of smooth transition, but more often than not retreat seems to be the word. Plagued by "white flight" and with crushing financial burdens intensified by lower tax bases, many urban school systems are struggling to remain solvent and at the same time provide the best possible education to the children they serve. Integrating on a large scale is costly for most cities, though sometimes the cost estimates are grossly inflated. The resegregation process has taken its toll: despite efforts in many areas of the North and West, the number of minority children in predominantly white schools increased only .1% between 1968 and 1970 (from 2,703,056 to 2,865,059).

Under Title VI guidelines established by HEW in 1968, federal funds can be withheld from "de facto" districts in the North and West if OCR can trace responsibility for the segregated schools to government action on matters such as zoning. If governmental responsibility can be traced, then OCR can treat the district as though it were de jure. However, ascertaining such responsibility is a painstaking process, often involving months of work by highly trained investigators. According to OCR, there are about as many investigators now working in the North and West as there are in the South. Although OCR has conducted Title VI compliance reviews in many northern and western school systems, formal enforcement proceedings have been initiated in only two: Wichita, Kansas and Ferndale, Michigan. In each case, a federal examiner has ruled that the district is in noncompliance and that federal funds should be cut off. Ferndale has appealed the decision and Wichita may also file an appeal. Investigators are working in other cities, such as Boston, San Francisco, Bakersfield, New York and Chicago. Title VI investigators once worked in Pasadena, California, and now this school district has adopted one of the most extensive integration efforts in the nation to date.

# The Pasadena Story—A Case History

Pasadena, an urban microcosm in many respects, exemplifies the problems found in school districts everywhere. Under the new desegregation plan, each of the 29,000 students will be bused for at least part of his school career. Eighty-seven buses now carry 15,000 children from segregated neighborhoods to integrated classrooms.

It was not easy to bring the plan into being. Opponents demanded a recall election of the three board members who voted for the school desegregation proposal. Enough petition signatures were collected to hold an election on October 13, 1970. The outcome was a close victory for the incumbents; support came mainly from the black and integrated sections of Pasadena.

Essentially the plan adopted by the school board was based on a federal court order to reorganize Pasadena schools by September 1970, so that no school would have more than 50 percent of any minority group and every school would include minority staff members. But the board ordered the staff to develop an even

more comprehensive plan-to ethnically balance all the schools.

Many community groups supported the board and made tremendous efforts to prepare the community for desegregation—during the summer of 1970, they held neighborhood discussion groups and public meetings and set up information booths in the shopping centers.\*

The groups' active opposition to the recall election certainly influenced its outcome, which many regard as one of the most significant victories for integrated education in recent history. Its significance lies in the fact that "it gave the Pasadena Plan a chance to prove itself. It was perhaps a unique referendum on busing and full integration, and the public said yes." (Mike Bowler, "North or South: Who Will Show The Way To School Integration," in South Today, December 1970).

Mr. Bowler also asserted that the plan is attractive for the things it does not do:

"-It does not combine schools selectively;

It does not close black schools to appease white parents;

—It does not place the burden of desegregation on blacks:

—It does not avoid the hard fact that busing is the only way to desegregate large-city systems."

Only time will tell how well the plan will work. In a statement to the Senate Select Committee on Equal Educational Opportunity, the League of Women Voters of Pasadena appealed for more federal financial aid to the school district to offset the increased costs of transportation and innovative programs to improve the quality of education in the newly integrated schools. In stating the case, the League pointed out that white parents "are waiting to see whether the district can provide their children with a quality education in integrated schools....It seems clear...that middle-class white parents here cannot be expected to pay more for their children's education and receive less than they would get in an all-white suburban district. Clearly, if the American people and their elected representatives have a commitment to the ideal of an integrated society ...they must be willing to contribute funds to the bona fide desegregated school districts sufficient to insure their successful operation so that others may be encouraged to follow in their path.'

# WHERE WE'RE GOING

Several bills have been introduced in Congress to provide such financial aid.

# **Emergency School Assistance**

In May 1970, President Nixon sent a proposal to Congress for a \$1.5 billion, 2-year program to help aid the desegregation process. The Emergency School Assistance Program (ESAP) was designed "to help southern schools eliminate dual systems and underwrite north-

ern efforts to achieve integrated quality education in de facto situations." (New York Times January 8, 1971) The proposal promptly went through the hearing process in both the House and Senate.

# ESAP - Funding Begins in the Fall of 1970

In the meantime, most southern school districts were under orders to desegregate by the opening of the 1970-71 school year. On August 18, 1970, Congress passed \$75 million in emergency funds to assist these districts to convert from dual to unitary systems.

In spite of Senate amendments prohibiting assistance to districts that violated civil rights laws and in spite of the excellent program regulations governing ESAP, numerous violations in the use of ESAP funds were found by the civil rights groups conducting the desegregation monitoring program last fall. Their report, The Emergency School Assistance Program, An Evaluation, was issued in November 1970. Relying on an analysis of ESAP grant applications funded by HEW, and on first-hand monitoring of many districts that had received ESAP funds, the groups discovered violations of program regulations and of federal civil rights laws which should have made the districts ineligible for funds.

The conclusions of the ESAP report caused indignant reaction in the Senate which had purposely added amendments to avoid such violations and abuses. However, U.S. Commissioner of Education Sidney P. Marland asserted in testimony before the House General Subcommittee on Education that "the immediate availability of these funds (ESAP) was responsible in large measure for the relatively calm and smooth transition from dual to unitary school systems which occurred."

The Senate Select Committee on Equal Educational Opportunity ordered a General Accounting Office (GAO) report on ESAP. The report, Need To Improve Policies And Procedures For Approving Grants Under The Emergency School Assistance Program, was released on March 5, 1971, and confirmed the findings of the ESAP report. GAO found that insufficient information was submitted with program applications to enable "a proper determination that the grants were in line with the purpose of the program." The report recommended that HEW strengthen its procedures:

- by allowing time for thorough review and evaluation;
- by requiring that the information relied on in approving applications be made a matter of record;
- and by establishing an effective monitoring system to ensure that funds are used for the purposes specified in the applications and that districts comply with federal civil rights laws.

# ESAP's Fate In The 91st Congress

A \$1.5 billion "permanent" school assistance bill, sponsored by the Administration, passed easily in the House last year but faltered in the Senate. The Senate Education Subcommittee had prepared an alternate bill. Its members felt that the House-passed bill failed to establish a meaningful integration standard as a requirement for funding; without such a standard, it

would be possible for districts desegregating only on a token basis to receive funds. However, neither bill was put to a vote on the Senate floor.

## ESAP In The 92nd Congress

Early in 1971, the two bills were reintroduced: the administration's Emergency School Aid Act of 1971 (S 195 and HR 2266); and the Quality Integrated Education Act of 1971 (S 683 and HR 4847) which was sponsored in the Senate by Senators Walter Mondale (D., Minn.) and Edward Brooke (R., Mass.).

The basic difference involved the allocation of funds. S 195 allotted 80 percent of the \$1.5 billion to states on the basis of the number of minority children enrolled in the public elementary and secondary schools. S 683 earmarked 90 percent of the monies to aid school districts in the desegregation process by funding specific programs, such as creation of stable, quality integrated schools, education parks and interdistrict cooperation projects. The remaining money—20 percent in S 195 and 10 percent in S 683—was to be used at the discretion of the Secretary of HEW.

The bills also differed in the way in which school districts qualify for funds. Under S 195, districts must be implementing a voluntary, court-ordered, or HEW-approved desegregation plan, or must be making an attempt to reduce or prevent racial isolation. S 683 contained spelled-out standards for each program it would fund.

# The Compromise

On March 24, 1971, a compromise bill—the Emergency School Aid and Quality Integrated Education Act of 1971—was reported by the Senate Subcommittee on Education. The new bill contained many of the features of the Mondale-Brooke bill (S 683) which included public information and parent/teacher/student participation provisions. However, districts eligible for funding would be the same as those in S 195, with the added provision that they must adopt comprehensive plans to eliminate minority group isolation and must establish one or more stable, quality integrated schools as defined in S 683. Funding priority would be given to those districts which place the largest number of minority group students in integrated schools.

The funds would be allotted as follows:

-15% would go for metropolitan area projects including at least two education parks, one of which must be interdistrict. The rest of the funds would go to districts seeking to implement district-wide desegregation plans;

-15% would be divided with 3% for educational television; 3% for bilingual and bicultural programs; and 9% discretionary funds for the Secretary of HEW:

- -1% would go for attorney's fees as outlined in S 683;
- -1% would be reserved for evaluation;
- -68% would be allotted to states, with 15% going to private, nonprofit projects; 22% to reduce racial isolation; and 63% to maintain stable, quality, integrated schools as defined in S 683.

<sup>\*</sup>These efforts were coordinated by the LWV of Pasadena.

# Ribicoff Proposal

Another bill (S 1283) to give federal aid and direction to the desegregation process was introduced on March 16, 1971, by Senator Abraham Ribicoff (D., Conn.). The bill, the Urban Education Improvement Act, focuses on metropolitan areas rather than on individual school districts in seeking solutions to school integration. It would require state and local educational agencies to develop desegregation plans for all Standard Metropolitan Statistical Areas (SMSAs) and would provide money for the development of such plans. All plans, to be implemented by July 1, 1983, would provide that the percentage of minority group children enrolled in each school within the SMSA would be at least 50 percent of the minority student population throughout the SMSA. Thus, if the minority student population in a given SMSA were 30 percent, in no school within that SMSA could there be less than 15 percent minority children enrolled. Plans could use techniques such as redrawing school boundaries, creating unified school districts, pairing schools, and establishing educational parks and magnet schools. Reasonable assurance would have to be given that goals would be met before funds were granted and the program would carry implementation guidelines similar to such federal programs as Title I ESEA.

Senator Ribicoff also introduced a companion bill on housing (S 1282). By linking his housing and education bills, Senator Ribicoff emphasized the need for equal housing opportunities to assure viable school integration. S 1282 would locate federally-connected industries only in communities willing to provide adequate low- and moderate-income housing. Its purpose is to insure that state and federal employees will have an adequate supply of low and moderate-income housing before governmental facilities are built or expanded in a community.

The provisions for interdistrict cooperation in the Emergency School Aid and Quality Integrated Education Act of 1971 contain elements of the Ribicoff proposal. But, in general, though the Ribicoff bills are more far reaching than either the Mondale-Brooke bill or the compromise bill, the latter may lay the groundwork for more comprehensive action in a future Congress.

# CONCLUSION

Though the problems in the South are a long way from solution, many advocates of school integration are turning their attention toward large, urban areas where school integration seems to have reached a standstill. In Boston schools, for example, where racial balance is mandated by a 1965 state law (meaning that if any school has more than 50% nonwhite pupils the district is subject to cutoff of state funds), the proportion of blacks in the schools has increased from 25% to 32% since 1965 and the number of racially imbalanced schools has increased from 46 to 63. And Boston is not the exception. In Washington, D.C., the public school population is nearly 95% black. The city of Chicago's public school population in 1970 was 55% black, an increase from 53% in 1968.

How will the nation ultimately solve the festering problems of school integration? Should we develop uniform standards to apply to all metropolitan areas, North and South? If so, how? Can national integration standards be developed, either by the courts or by new federal law, doing away with the distinction between de jure and de facto segregation? Can all segregation be declared illegal and can federal and state funds be withheld from districts which do not achieve racial balance in their schools?

Would a metropolitan-wide approach to integration be the key to racial balance? Does an interdistrict approach to integration take account of black demands for quality schools where they live and controlled by them? How will black fears that interdistrict cooperation is a ruse for dispersal (and the subsequent loss of black culture and identity) be abated? What about busing? In most busing plans, the burden has been on blacks, thus implying that blacks benefit from integration and whites do not. Will busing be two-way or will the burden continue to be borne by blacks? How can the process of resegregation be halted? How can districts that are nearly all-black integrate?

The problems seem insurmountable, but perhaps they all boil down to one question: Do the American people want their children to be educated in racially isolated schools or do they want them to attend "just schools?"

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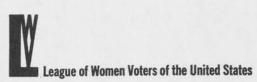
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- School Survey Guide. 1969. pub. #343. 32 pp. \$1.00. "The School and the Community." People Power. ICCE Newsletter. March 1969. pub. #621. 50¢.

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Proposed Regulations June 14, 1973

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State of Minnesota
Board of Education
Chapter 32 EDU 620 - 639
Regulations Relating to Equality of Educational
Opportunity and School Desegregation

EDU 620 POLICY.

The State Board recognizes many causes for inequality in educational opportunity, among which is racial segregation.

The State Board agrees with the U. S. Senate Report of the Select Committee on Equal Educational Opportunities that, "the evidence, taken as a whole, strongly supports the value of integrated education, sensitively conducted, in improving academic achievement of disadvantaged children, and in increasing mutual understanding among students from all backgrounds."

The State Board recognizes its duty to aid in the elimination of racial segregation in Minnesota Public Schools and therefore adopts these regulations, the purpose of which is to direct and assist each school district in the identification of and the elimination of racial segregation which may exist in the public schools within the district.

The regulations which follow are designed to implement the policy of the State Board as set forth in Educational Leadership Role for Department of Education and Board of Education in Providing Equal Educational Opportunity, November 9, 1970.

EDU 621 DEFINITIONS. For the purpose of EDU 620 - 639, the following words and phrases shall have the meaning ascribed to them: "Equal Educational Opportunity" is defined as the provision of educational processes where each child of school age residing within a school district has equal access to the educational programs of the district essential to his needs and abilities regardless of racial or socio-economic background. The term "Minority Group Students" is defined as students who are Black-American, American-Indian, Spanish surnamed American, or Oriental Americans. The term "Spanish surnamed American" includes persons of Mexican, Puerto Rican, or Spanish origin or ancestry. c. Segregation occurs when a public school has a student body of 30% or more minority group students. EDU 622 DUTIES OF LOCAL BOARDS, PENALTY FOR FAILURE TO COMPLY. Each local board shall, in accordance with these regulations, submit data to the Commissioner on the racial composition of each of the schools within its jurisdiction. b. Each local board shall, if segregation is found to exist in any of its schools (1) submit to the Commissioner a comprehensive plan for the elimination of such segregation that will meet the requirements of EDU 620 - 639; (2) submit information to the Commissioner on the progress of implementation of any comprehensive plan which has been approved; and (3) implement in accordance with its schedule a comprehensive plan which has been approved.

The penalty for non-compliance with EDU 620 - 639 shall be the reduction of state aids pursuant to Minnesota Statute 1971. Section 124.15. EDU 623 SUBMISSION OF DATA. Each local board shall submit to the Commissioner within 60 days of the effective date of these regulations and annually thereafter by November 15, of each year, such data as are required by subsection (b) of this section, to determine the existing racial composition of the enrollment of each school in the district. If a local board fails to submit such data by November 15, annually, the Commissioner shall notify the Board of non-compliance. A reasonable time of 15 days, shall be allowed for compliance. Each local board shall submit a report showing the number of students enrolled which belong to each race and the number of certificated personnel employed which belong to each race for each of the schools under its jurisdiction. The information required to be submitted may be based upon sight count or any other method determined by the local board to be accurate. The clerk of the local board of education shall certify the accuracy of the report. EDU 624 SUBMISSION OF PLAN. The Commissioner shall examine the data which are submitted pursuant to EDU 623. Whenever the Commissioner finds from the examination of such data that segregation exists in any public school, he shall in writing within 30 days after receipt of data notify the local board having jurisdiction over said school that such a finding has

been made. The Commissioner may after data has been submitted and examined, pursuant to EDU 623 and 624 determine from additional data received at any subsequent time that a condition of segregation exists and request action to correct the situation. Any local board receiving notification of the existence of segregation shall forthwith prepare a comprehensive plan to eliminate such segregation and shall file a copy of such plan with the Commissioner within 90 days after the receipt of the notification. If the local board fails to submit a plan within 90 days, the Commissioner shall notify the local board of non-compliance. A reasonable time of 15 days, shall be allowed for compliance. EDU 625 CONTENTS OF PLAN: APPROVAL OR REJECTION. The 30 percent requirement of EDU 621 c shall be used as the standard for local school boards in the process of developing plans to remove racial segregation in the district. Notwithstanding the 30 percent standard, the Commissioner may, if the local board can justify an educational reason to the State Board from the comprehensive school desegregation plan submitted, approve school desegregation plans that vary from the 30 percent standard . to not more than 40 percent. b. If to alleviate the isolation of minority group students, required transportation time would exceed more than 1 hour round trip per day, then a standard may be determined by the Commissioner based on the data presented by the district for each such school within the district.

d. The implementation period shall not exceed 2 years. The plan shall specify the effect which each proposed action will have on the racial composition of each school within the district and shall include projections of the racial composition of each school within the district which may be expected upon completion of the plan.

in a desegregated environment, any anticipated building or remodel-

ing programs, present and projected attendance patterns, staff

preparation or projected in-service training programs.

e. In the formulation of plans to eliminate and prevent racial segregation in schools, local boards shall consider and employ methods that are educationally sound and administratively and economically feasible. Such methods may include but are not limited to: school attendance zones and boundaries; pupil reassignments and such optional transfers as are consistent with these requirements;

pairings and groupings; grade reorganizations; alteration of school establishment of educational parks and plazas; rearrangements of school feeder patterns; voluntary metropolitan or inter-district cooperative plans; specialized or "magnet" schools; differentiated curricular or other program offerings at schools serving children predominately of different racial groups at the same grade level; reassignments of faculty, staff, and other personnel, affirmative recruitment, hiring, and assignment practices to insure that each system's personnel corps, as well as the faculty, staff, and other personnel at all attendance centers within systems, become and remain broadly representative racially.

- f. All decisions by local boards concerning selection of sites for new schools and additions to existing facilities shall take into account, and give maximum effect to, the requirements of eliminating and preventing racial as well as socio-economic segregation in schools. The Commissioner will not approve sites for new school building construction or plans for addition to existing buildings when such approval will perpetuate or increase racial segregation.
- g. All plans to effect school desegregation and integration shall be equitable and non-discriminatory. Within the constraints imposed by feasibility and educational soundness, inconvenience or burdens occasioned by desegregation shall be shared by all and not borne disproportionately by pupils and parents of minority group students.

portation to achieve desegregation is not restricted to minority stu-

dents, he shall approve the plan and notify the State Board and the

local board of education such technical assistance and services as

requested by the local board and deemed necessary by the Commissioner

in order to implement the plan. If the Commissioner finds that the

local board within 30 days. The Commissioner may provide to the

plan will not eliminate segregation in the schools of the district submitting the plan, or that the dates for implementation will exceed 2 years or that any transportation to achieve desegregation is restricted to minority students, he shall reject the plan. The Commissioner shall notify the local board of the rejection of the plan within 30 days. The notice shall specify (1) the reasons for the rejection of the plan, (2) the revisions necessary to make the plan satisfactory, (3) specify a period of 45 days in which the local board shall submit a revised plan. If no revised plan is received within 45 days, or if the revised plan fails to contain the revisions specified by the Commissioner, or if the plan fails to meet the requirements of EDU 620 - 639 the Commissioner shall notify the local board of action to be taken pursuant to EDU 622, c. EDU 626 SUBMISSION OF INFORMATION ON IMPLEMENTATION OF PLAN. If a local board has submitted a plan which has been approved by the Commissioner, the local board shall submit to the Commissioner at such times as he shall request, such information as he deems necessary concerning the implementation of the plan. If the local board fails to submit such information, the Commissioner shall notify the local board of the non-compliance. A reasonable time of 15 days shall be allowed for correction of non-compliance. EDU 627 IMPLEMENTATION OF THE PLAN. The Commissioner shall examine the information requested pursuant to EDU 626. If he determines that there is any discrepancy between the schedule in the plan as approved and the progress which has been achieved in the implementation of the plan, he shall notify the local board of non-compliance. A reasonable time, which shall be determined by the Commissioner according to the nature of the discrepancy, shall be allowed for correction of the discrepancy. EDU 628 APPEARANCE BEFORE THE STATE BOARD. Any school district aggrieved by a decision required of the Commissioner by EDU 620 - 639 may serve a written request on the State Board of Education within 30 days of any such decision to appear before said Board. The appearance shall be made at the next regular State Board meeting following receipt of such request. Following such appearance the Board may in writing support, modify or reject the Commissioner's decision. Any such notice served by a school district shall stay any proceeding pursuant to Minnesota Statute 1971, Section 124.15 to reduce state aids for noncompliance with EDU 620 - 639 until a determination by the Board. EDU 629 NOTICES. Any notice to a local board which is required by these regulations shall be written and shall be sent by certified mail, to the superintendent, and to the clerk of the local board of the district at their respective business addresses. For the purpose of EDU 620 -639, the business address of the clerk of the local board is deemed to be the main administrative office of the district. The content of any notice of non-compliance shall be such as is specified in Minnesota Statute 1971, Section 124.15, Subdivision 3. The reasonable time for correction of non-compliance shall be such as specified in EDU 620 - 639.

EDU 630 NO DISTRICT EXEMPT FROM EDU 623.

At no time shall any local board be exempt from the reporting requirements of EDU 623.

EDU 631 - 639 Reserved for future use.

FILE COPY
December 14 1970

STATE OF MINNESOTA BOARD OF EDUCATION GUIDELINES

RELATING TO EQUALITY OF EDUCATIONAL
OPPORTUNITY AND DESEGREGATION, INTRA-CULTURAL
AND INTER-CULTURAL QUALITY EDUCATION

The educational system of the state owe a vastly greater responsibility to all school children than they presently accept. The State Board of Education is obligated not merely to support districts in opening their doors to all comers, but to provide effective leadership in securing equal educational opportunity for all. The state's obligation to provide an equal educational opportunity is satisfied only if through education the opportunity exists for the natural talents of each child to develop so that he may become the best person he is capable of becoming regardless of racial or socio-economic background.

Thus Minnesota laws relating to the public school systems states in part, "State aid from the school aid fund and any other money set apart for use with the school aid fund shall be used --- (1) To assist in providing equal educational opportunities for all the school children of the state; ---."

(Minnesota Statute 124.66).

The State Board recognizes many causes for inequalities in educational opportunity and has identified two of these, racial and socio-economic segregation, as being most pressing for immediate alleviation.

Racial segregation and socio-economic segregation in public schools, whatever their causes, have been documented through research as being educationally harmful to all children. They deny equal educational opportunity and encourage prejudice and racism. They present an inaccurate view of life as pupils prepare to live and work in a multi-racial society. The State Board of Education recognizes its duty to aid in the elimination of racial and socio-economic segregation in the Minnesota Public Schools and therefore adopts these guidelines, the purposes of which are: (1) to give direction and assistance to each school district in the identification and elimination of racial segregation and socio-economic segregation which may exist in the public schools within the district, and (2) to encourage the provision of Intra-Cultural and Inter-Cultural Education by local districts.

Quality Intra-Cultural Education and Inter-Cultural Education are not present in all the public schools in Minnesota. Our country bases its education largely on the culture, tradition, and values inherited from Western Europe; it has not fully incorporated the contributions of other groups of people who make up the many societies we call America. Minority group students must be offered the opportunity to know their heritage and appreciate its uniqueness through Intra-Cultural Education. Similarly all students, as well as learning about the history and achievements of their own group cultures, must be offered the perspective which comes with learning about other people and other races through Inter-Cultural Education. To this end, the State Board of Education expects school districts to initiate new programs and to reconstruct established curriculum whenever necessary to meet these educational needs.

The guidelines which follow are designed to implement the mandate of this Board as set forth in its policy statement on Educational Leadership

Role for Department of Education and Board of Education in Providing Equal

Educational Opportunity, November 9, 1970. Although provisions contained in Section 1 through 9 are not rules or regulations they do constitute a procedure for voluntary cooperation among the State Board of Education, local school district, and members of the community in providing equal educational

opportunity for all children. This Board expects cooperation from all school boards in the state in the identification and elimination of inequalities of educational opportunity by following these guidelines and abiding by the procedures and standards set forth herein. If these expectations are not realized the Board may consider the adoption of rules or regulations.

#### Section 1. DEFINITIONS.

The following words and phrases shall have the meaning ascribed to them:

- a. "Equal Educational Opportunity" means the provision of educational processes where each child of school age residing within a school district has equal access to the educative resources of the district essential to his needs and abilities regardless of racial or socioeconomic background.
- b. The term "Minority Group Students" means students who are Black-American, American-Indian, Spanish surnamed American, or Oriental.

  The term "Spanish surnamed American" includes persons of Mexican,

  Puerto Rican, Cuban, or Spanish origin or ancestry.
- c. A "Low-Income Family" means a family whose total annual income does not exceed \$3,000 on the basis of the most recent satisfactory data from the U. S. Department of Commerce, or a family receiving an annual income in excess of \$3,000 from payments under the program of aid to families with dependent children.
- d. "Segregated Public School" means a public school which has a student body consisting of 30% or more minority group students, or 30% or more students from low-income families, or 30% or more of a combination of minority group students and students from low-income families.
- e. "Intra-Cultural Education" means that educational process in a school

- districts, or schools therein, from early childhood through adult education, by which minority group students gain a knowledge, respect, and appreciation for their own language, history, heritage, culture, values and contributions to mankind.
- f. "Inter-Cultural Education" means that educational process in a school district, or schools therein, from early childhood through adult education, by which all individuals gain a knowledge, respect, and appreciation for the language patterns, history, heritage, culture, values and contributions to mankind of minority groups with special emphasis on Black-Americans, Spanish surnamed Americans, American-Indians and Orientals, so as to enable all individuals to live better in a pluralistic society.

## Section 2. DUTIES OF THE LOCAL BOARD.

- a. The local board of education of each school district will submit data to the Commissioner on the racial and socio-economic composition of the schools within its jurisdiction. If segregation is found to exist in any of its schools, the Board will (1) submit to the Commissioner a plan including a time schedule for the elimination of segregation in accordance with these guidelines; (2) implement the plan in accordance with its schedule; and (3) submit information to the Commissioner on the progress of the implementation of the plan.
- b. The local board of education of each school district will establish, in accordance with these guidelines, an Advisory Committee(s) to enable it to provide quality programs of Intra-Cultural Education or Inter-Cultural Education or both within the school district, and will submit to the Commissioner plans for the implementation of these programs.

## Section 3. ESTABLISHMENT OF ADVISORY COMMITTEES.

a. Intra-Cultural Advisory Committee.

b. Inter-Cultural Advisory Committee.

- (1) In a school district in which there are 25 or more students of any single minority group attending public schools in that district, an Advisory Committee on Intra-Cultural Education will be established for each minority group.
- (2) The local school board will inform the respective minority groups concerning the duties of the Advisory Committee on Intra-Cultural Education and the selection procedures. Membership on the Advisory Committee will consist of minority group members including students.
- The local board of education of <u>each</u> school district should appoint an Advisory Committee on Inter—Cultural Education. This Committee will include one representative from each Advisory Committee on Intra-Cultural Education, if one or more such Committees exist in the district, and will include at least one member of the majority community, one member from each minority group and one student attending a public school in the district. If the school district has no members

of a particular minority group enrolled in its schools, the Committee

shall be advised by representatives of minority group(s) in the

Section 4. DUTIES OF THE ADVISORY COMMITTEES.

development of the program.

Advisory Committees on Intra-Cultural Education and Inter-Cultural Education will counsel the local board of education, administration and staff continuously on methods of implementation of Intra-Cultural and Inter-Cultural Education respectively. The Advisory Committee(s) will report at least

quarterly to the local board of education their work in review, study, planning, methods of implementation, and evaluations in the areas of Intra-Cultural or Inter-Cultural Education, to include but not be limited to the following areas:

- a. Curriculum Materials (Kindergarten through Adult Education)
- b. Human Relations Program
- c. In-Service Training for Teachers and Administrators
- d. Direct Student Experiences (Study, Work, Extra-Curricular)
- e. Individual Study Units
- f. Recruitment of Minority Staff Personnel
- g. Cultural Resource Center
- h. Use of Community Resources
- i. Audio-Visual Aids

Section 5. SUBMISSION OF DATA, PLANS, AND PROGRAMS.

- a. Desegregation Plans.
  - (1) Each school board will submit to the Commissioner by March 15, 1971, and again by December 15, 1971, and annually thereafter by December 15 of each year, a report showing the number of students enrolled in each school under its jurisdiction, the number of students which belong to each minority group and the number of students which are from low-income families. The report will indicate which students are members of both a minority group and a low-income family. The clerk of the Board of Education shall certify the accuracy of the report. The information concerning membership in a minority group may either be requested and given voluntarily by each individual, or it may be based upon sight.

Names may be requested and recorded if the Board so desires.

Information on race will not be kept as a part of a student's regular record; it will remain confidential and will be used only as is necessary to comply with this policy and when specifically authorized by the State Board of Education for approved statistical purposes related to education and employment of individuals from minority groups.

- (2) Whenever the Commissioner finds from the examination of the report or from other sources that segregation exists in a public school, he will provide written notice to the school board having jurisdiction over said school and to the State Board of Education that such a finding has been made. Any school board receiving notification of the existence of segregation will forthwith prepare a plan to eliminate such segregation and will file a copy of such plan with the Commissioner within 90 days after the receipt of the notification.
- b. Intra-Cultural and Inter-Cultural Education Programs.
  - (1) Each school board will submit to the Commissioner on August 1, 1971, and annually thereafter by August 1 of each year, in such manner as the State Board of Education may prescribe, a report of all Intra-Cultural Education and Inter-Cultural Education being employed in the educational process of that school district and schools therein including the existence, membership and activities of the Advisory Committee(s).
  - (2) Whenever the Commissioner finds that deficiencies exist within the Intra-Cultural Education or Inter-Cultural Education Programs of a school district, the Commissioner will provide written notice

to the school board having jurisdiction over that district and to the State Board of Education, that such a finding has been made. Any school board receiving notification of deficiencies in its Intra-Cultural Education or Inter-Cultural Education

Program will forthwith prepare a plan to correct such deficiencies and will file a copy of such plan with the Commissioner within 90 days after the recipt of the notification.

## Section 6. CONTENTS OF PLAN: APPROVAL OR REJECTION.

- a. Any school desegregation plan submitted by a school board will contain a detailed description of the actions to be taken. Such actions may include provisions for:
  - (1) Changes in school attendance areas;
  - (2) Construction of new school buildings;
  - (3) Additions to existing school buildings;
  - (4) Inter-racial staffing;
  - (5) Expansion or adaptation of transportation services;
  - (6) Changes in curriculum;
  - (7) Programs in in-service training in human relations;
  - (8) Specific actions in cooperation with other school districts; or
  - (9) Any other means for the elimination of segregation.

For each proposed action the plan will specify a beginning date and completion date for the implementation thereof. The implementation period should not exceed two (2) years. The plan will specify the results which each proposed action will have on the racial and socioeconomic composition of the schools within the district; and will include projections of the racial and socioeconomic composition

- of each school within the district which will be expected upon completion of the plan.
- b. Any plan submitted for correction of deficiencies in an Intra-Cultural or Inter-Cultural Education Program will contain a detailed description of the program being carried out and to be implemented. The plan may include provisions as appropriate, for:
  - (1) The relationship of the Advisory Committee on Intra-Cultural or Inter-Cultural Education, or both, to the administration and local school board;
  - (2) A continuous in-service training program in human relations for the school staff;
  - (3) Creative educational programs and extra-curricular activities which provide opportunities for inter-cultural experience for students and school employees, parents and community;
  - (4) Curriculum changes and introduction of teaching materials which provide for all students an opportunity to acquire an understanding of the language, history, heritage, culture, values and contributions of minority groups in appropriate subject areas;
  - (5) The integrated staffing in the schools of the district and/or employment of resource persons to provide inter-cultural experiences until such integrated staffing is secured;
  - (6) Coordination and implementation of Intra-Cultural and Inter-Cultural Education Programs with compensatory education under Title I of the Elementary and Secondary Education Act (ESEA), library services and facilities under Title II, ESEA, and innovation in educational programs under Title III, ESEA; and
  - (7) Utilization of resource persons who have special skills in lan-

- guage arts, cultural backgrounds, etc. in the on-going programs in Intra-Cultural or Inter-Cultural Education, or both, of the district.
- c. The Commissioner will review any plan which is submitted. If the Commissioner determines:
  - (1) That the plan will, depending on its purpose, eliminate segregation and/or correct deficiencies in Intra-Cultural and/or Inter-Cultural Education Programs in the schools of the district submitting the plan;
  - (2) That the dates for the implementation of the plan are satisfactory;
  - (3) That the plan is equitable to all concerned; and
  - (4) That the implementation will not exceed two (2) years, he will approve the plan and provide written notice to the local board within 30 days. The Commissioner will provide to the local board such technical assistance and service as requested by the local board in order to implement the plan.
- d. If the Commissioner finds:
  - (1) That the plan depending on its purpose, will not eliminate segregation and/or correct deficiencies in the Intra-Cultural and/or Inter-Cultural Education Programs in the schools of the district submitting the plan;
  - (2) That the plan is not equitable;
  - (3) That the dates for implementation of the plan are not satisfactory; or
  - (4) That the implementation will exceed two (2) years, he will reject the plan.

- e. The Commissioner will provide written notice to the local board of the rejection of the plan within 30 days. The notice will specify:
  - (1) The reasons for the rejection of the plan;
  - (2) The revisions necessary to make the plan satisfactory; and
  - (3) A period of 45 days in which the local board will submit a revised plan.

If no revised plan is received within 45 days, or if the revised plan fails to contain the revisions specified by the Commissioner, the Commissioner will provide written notice to the local board of its failure to comply with the provisions of these guidelines.

## Section 7. IMPLEMENTATION OF PLAN(S).

- a. If a school board has submitted a plan which has been approved by the Commissioner, the Board will submit to the Commissioner, at such times as he may request, such information as he deems necessary concerning the implementation of the plan.
- b. If the Commissioner finds that there is any discrepancy between the plan as approved and the progress which has been accieved in the implementation of the plan, he will provide written notice to the school board of his findings. A reasonable time, which will be determined by the Commissioner according to the nature of the discrepancy, shall be allowed for correction of the discrepancy.

#### Section 8. CULTURAL CENTER FOR MINORITY GROUPS.

Each school district with 100 or more students of any minority group, should establish a Cultural Center in a centrally located area for each such group. It is recommended that other school districts also establish Cultural

Centers. Each Center should serve functions to include but not be limited to the following:

- a. To be a depository for the collection and cataloging of materials appropriate to the development of Intra-Cultural and Inter-Cultural Education Programs.
- To collect and establish community resources to provide enrichment
  and knowledge of the various cultures existing within our society.
   This phase of the program will include a listing of people who,
  because of their skills or knowledge regarding cultural backgrounds,
  can be used in the school curriculum or in the adult education program.
- c. To provide materials and resources of the center to various civic organizations and governmental units for educational purposes.
- d. To establish exchange programs with other local, state and national centers, including private and governmental museums already established.
- e. To develop community programs for students, parents and community.

#### Section 9. FAILURE TO COMPLY.

If a district fails to comply with any of the provisions of these guidelines the Commissioner will determine whether there are inequalities in educational opportunity in the district and whether state aid from the school aid fund and any other moneys such as federal funds, set apart for use with the school aid fund is being used to continue inequalities in the educational opportunity for all children of the district. The Commissioner will submit his findings and recommendations to the State Board of Education and the local board.

Adopted by the Minnesota State Board of Education on December 14, 1970.

TO: All Board Members June 15, 1970 FROM: Pat Lucas SUBJECT: Guidelines of the Equality of Education Task Force The guidelines of the task force are divided into five areas: I - Students II - Parents III - School Personnel IV - Student-School Personnel Relationships V - Programs and Community Involvement The opening sentence of the guidelines states that quality integrated education is necessary for the survival of an open democratic society. The thesis of these guidelines is that all people must learn to know about themselves; their own individuality, their heritage, their potential and their relation to others. It is stated that this opportunity has not been and is not now available to the student. The student must be provided with the opportunity to learn about his own cultural, racial, religious and socio-economic makeup as well as to learn the same thing about those of differing backgrounds. This opportunity should be provided to all aspects of his education. The teacher, tunity should be provided to all aspects of his education. parent and student need to be able to learn and interact with components of the total society. This should be encouraged not only in the school setting but in the community at large as well. In order to provide this opportunity to the student now the teacher, parent and community need to be given the opportunity for inter-cultural education and interaction. It is suggested that these guidelines be used as: 1. A base for future development of regulations in teacher certification, pre-service HR programs and inservice HR training for all personnel. 2. Guidelines for development of legislation. 3. Guidelines for school districts moving from desegregation to quality integrated education. 4. As a base for understanding and development of regulations EDU 521-538. 5. Guidelines for evaluation of educational process in a school district or school therein. 6. Guidelines for citizens to inform themselves regarding their educational system.

TO: Board Members

FROM: Barbara Jones

June 15, 1970

Regulations on racial desegregation and intra-cultural and inter-cultural quality education

The requirements of school boards are specified in connection with three simultaneous courses of action in order to provide quality integrated education in schools with minority students. As a preliminary step, each board is required to obtain data on the minority composition of the district and of each school in the district. If, according to specified definitions based on percentages, a school (ergo school district) is determined by the state commissioner of education to be segregated that school district is notified and must act.

Within ninety days the school district must submit to the commissioner a plan to eliminate such segregated schools, including a time schedule not to exceed two years. The plan shall include a detailed description of how it will be implemented and shall provide for "expansion and adaption of transportation only where necessary to correct segregated public schools" and "only when it shall apply to both majority and minority students". The commissioner shall review the plan, approve within thirty days or reject and specify reasons, describe necessary revisions, and allow forty-five days for submission of a new plan. Districts are to provide periodic information to the commissioner on the progress of implementation.

To provide greater opportunities for intra- and inter-cultural education, a school board is to establish an advisory committee whose membership is based on a formula pertaining to minority attendance. Here again, a report is to be submitted by the board on the status of such programs in the district, and if deficiencies are found, a specific plan is to be submitted. The advisory council will counsel the local board quarterly on the implementation and evaluation of its educational program. It shall assist in the implementation of such matters as training programs involving the whole staff; developing creative programs and extracurricular activities; curriculum changes; integrated staffing; compensatory educational coordination; and utilization of resource persons in the community.

The other specific action required, if there are 100 or more minority -tudents, is the establishment of a cultural center in a central location. A director is to be appointed who will relate to the advisory committees. The center shall serve as a depository of collections of cultural materials; provide an analysis of community resources; extend public education to the news media; establish exchange programs among schools, states, and government agencies; and provide programs for students, parents and community.

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Failure to comply with the various requirements shall involve a per of reduction of state aids.

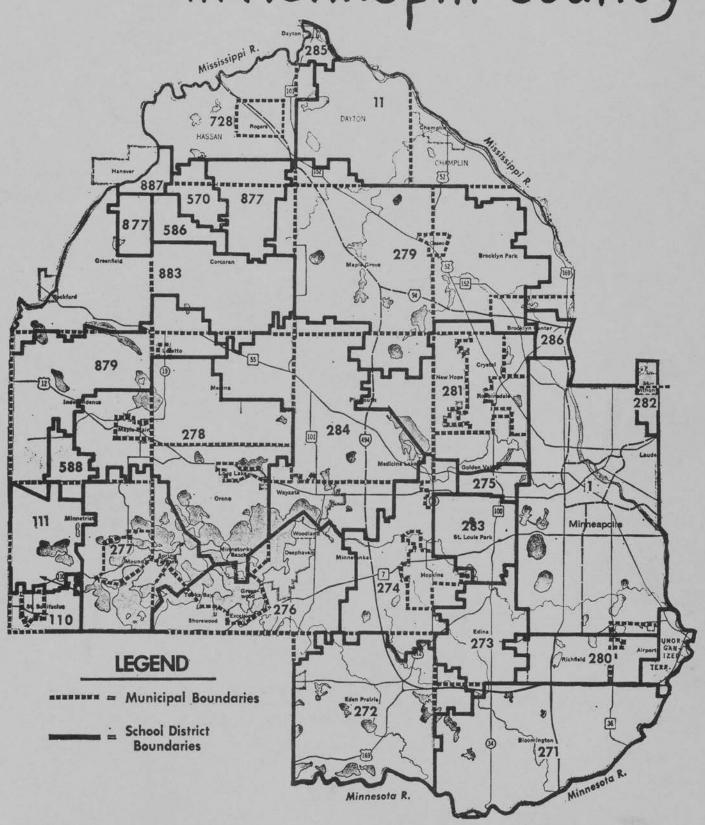
LWV of Minnesota, State Organization Service, U. of Minn., Minneapolis, Minn. 55455 March 1967 Policy on Racial Imbalance and Discrimination in Public Schools Adopted by State Board of Education, January 9, 1967 It is hereby declared to be the policy of the State Board of Education to encourage and assist each school board in the State of Minnesota toward achievement of racial balance in each school building of the district wherein it has been determined that racial imbalance exists. It is recognized that racial imbalance can be educationally harmful to both white and nonwhite children as it encourages prejudice and presents an inaccurate picture of life as pupils prepare to live and work in a multiracial community, nation, and world. Racial imbalance exists in a school building when the number of nonwhite pupils enrolled is substantial. When this condition exists in any school building it is incumbent upon the school board to take all reasonable steps to make adjustments in enrollment thereby fulfilling its obligation to provide equally available educational opportunities and programs to all young people in the school district. Steps such as the following should be considered in correcting racial imbalance: 1. Encouraging pupils in racially imbalanced schools to enroll in other schools of the district as space and staff permit. 2. Adjusting school attendance area boundaries to promote a racial balance in each school. 3. Strategically locating new buildings to provide racial balance. 4. Matching or combining schools to achieve an appropriate racial balance. 5. Revising feeder patterns for junior or senior high schools with racial imbalance. Compensatory education for children in imbalanced schools should be provided while implementation of racial balance is being accomplished. Each school board should develop affirmative personnel recruiting policies and review its present personnel practices to make certain that no barrier, real or implied, precludes equal employment opportunities for all in the schools regardless of race, creed, or national origin. Members of racial minority groups should be encouraged to apply for positions in the public schools. The instructional program in all schools should provide recognition of the contributions made by all racial and cultural groups to our nation's growth and development. Preparation programs for teachers and administrators should be planned to assist in developing an understanding of and sensitivity to the problems of minority groups. In the furtherance of this policy, an advisory committee to the state board of education shall be created that is representative of race and ethnic groups and others who are interested in and can contribute to finding solutions to problems

of intergroup and interpersonal relations.

# Public Law 89-10

FILE COPY

Elementary and Secondary Education Act of 1965 in Hennepin County



prepared by the Ad Hoc Human Resources Committee of Hennepin County League of Women Voters of Minnesota February, 1967

The Elementary and Secondary Education Act of 1965 (Public Law 89-10) aims to attack poverty through aid to "educationally deprived children." According to guidelinesset up to administer the act, the term was defined as "those children in a particular school district who have the greatest need for special educational assistance in order that their level of educational attainment may be raised to that appropriate for children of their age. The term includes children who are handicapped and children whose need for such special educational assistance is the result of poverty or cultural or linguistic isolation in the community at large." Most of the money (\$1.2 billion out of a total of \$1.46 billion for the first year) is appropriated for Title I, which is aimed directly at these groups. Although its purpose is to help the children in large poverty pockets in the big cities, it has provisions for poor children in more affluent districts -- those with 3% or 100 (whichever number is smaller) of their school children qualifying are entitled to funds. Furthermore, the guidelines state that "no child in a project area should be denied the benefits of a project because his family does not qualify as 'poor' by some definition. But projects should be so limited in size and so focused in the schools that those educationally deprived children who most need the services or opportunities offered will be adequately served." How much help is a school district eligible to get? In Minneapolis, for example, there were about 94,000 children ages 5 to 17 in public and non-public schools, according to the 1960 census. Of these, 9,002 were determined as coming from families who qualified as low-income (\$2,000 or less income a year or receiving Aid to Families with Dependent Children). The Title I allotment (an approximation) for this district was calculated by multiplying 9,002 by \$276 (one-half of the state's yearly expenditure per pupil). Allotments for other districts are computed in the same way. Title II provides aid for the purchase of instructional materials for all children in the district. The materials are to be supplementary (not textbooks, encyclopedias or religious materials) and, although shared with non-public schools, must remain the responsibility of the public agency. Districts receive between \$1.25 and \$2.25 per child depending on the assessed wealth of the community as determined by property valuation. Projects within Titles I and II must be approved by the State Department of Education which distributes the money. Provision is made for federal Title III authorizes grants for supplementary, community-wide services the schools cannot afford. Such projects are recommended by the State Department of Education but final approval rests with the U.S. Commissioner of Education. Titles IV and V expand grants for educational research and authorize funds to help strengthen state departments of education. RECENT AMENDMENTS As amended in November, 1966, the act: 1) retains the basic aid formula but takes into account the number of children in homes for neglected and delinquent children. It raises the definition of 'low-income' from \$2,000 to \$3,000 per family for Fiscal Year (F.Y.) 1968; 2) raises the ceiling for grants in F.Y. 1967 to a maximum of 50% of the school agency's budget instead of 30%; - 1 -

3) permits states, beginning in F.Y. 1968, to use the national average spent per pupil, if this is higher than that of the state, in computing the aid; 4) makes local school districts with 10 or more eligible children (rather than 100) qualify for Title I beginning in F.Y. 1968; 5) authorizes \$30 million for F.Y. 1967 and \$50 million for F.Y. 1968 to strengthen state departments of education; 6) adds funds under Title IV to help states initiate or expand education programs for handicapped children; 7) prohibits the federal government from requiring "assignments or transportation of students or teachers to overcome racial imbalance." This section is regarded as redundent because the Civil Rights Act, which orders enforcement of legal desegregation of school districts, specifically states that the federal government is not authorized to demand racial balance; 8) transfers the adult basic education program of the Economic Opportunity Act to this act: 9) provides some funds for dissemination of information on projects under this act: 10) requires hearings to be held before the federal government is permitted to delay payment of funds to districts that violate the desegregation guidelines. VIEWS OF HENNEPIN COUNTY CONGRESSMEN Fifth District Congressman Don Fraser voted for the package of amendments as it came from conference committee, as he had for the original 89-10 in 1965. Third District Congressman Clark MacGregor was paired against the amendments, as he had previously been paired against 89-10 (This is similar to voting against them.) Senators McCarthy and Mondale voted for the amendments. In an interview, Congressman Fraser emphasized the importance of strengthening state government to enable it to exert more leadership in education. He is in favor of the Heller plan whereby the federal government would return some tax money to the states which could provide programs themselves instead of receiving money through federal legislation. Fraser sees government innovation in education as a catalyst for improvement of quality in local school districts. He says he feels there will be changes in the law and would be in favor of changing the formula for aid under Title I in order to give more aid to the large poverty areas. He sees annual Congressional appropriations as a limitation on the effectiveness and long-range planning of the projects. Making appropriations a year ahead could be of some help, he said. Fraser said he is pessimistic about chances for legislation which would deal with de facto segregation. Although Congressman MacGregor's critics accuse him of being a foe to federal aid to education, he said he is not and defends his vote against the 89-10 and its amendments by saying he is against federal aid for wealthy districts "at the expense of needed help for poorer districts." In a speech on the floor of the House last October 6, he called 89-10 "Robin Hood in reverse." He cited figures which showed - 2 -

Title I some wealthy school districts getting much more federal assistance per impoverished child than some very poor districts, which were mainly in states with low per pupil expenditures. MacGregor says he would support changes in the Title I formula to consider not only personal income but the condition of the district. In his speech, MacGregor also complained that his district's share of 89-10 allocations was only three percent of the allocation to Minnesota. One-fifth of Minnesota state aids go to his district which most needs money for school construction, not a part of the 89-10 program. MacGregor said he foresees some cuts in appropriations for Title III but felt Congress would leave the overall appropriations the same. He said he doubted there would be any legislation concerning de facto segregation but felt some of the civil rights amendments will be reintroduced. WHAT HENNEPIN COUNTY HAS DONE What are the 16 school districts whose boundaries lie within Hennepin county doing as a result of the Elementary and Secondary Education Act? These are the completed or continuing projects for children in public and non-public schools, the first (Title I) focused on educationally deprived and handicapped children. TITLE I BLOOMINGTON, DISTRICT 271\* \$95,715 (\$83,691 spent as of 11-1-66) approx. cost \$69,200 Kindergarten summer, 1966 This project was designed to provide pre-school instruction for children of low-income families, handicapped children, children with less than six weeks of private kindergarten and all other children in the proper age range whose mark on the Metropolitan Reading Readiness Test was below the fiftieth percentile. 438 children attended the eight-week program in three schools. The staff included 15 teachers and 6 teacher aides. There will be follow-up comparison with other first grade children, parents' conferences and evaluation of academic progress during first grade. When the Bloomington school board first approved the program, the local newspaper objected that the funds would not be used entirely for youngsters from poor families. The Chamber of Commerce was opposed and the issue was discussed throughout the spring school board campaign. The program will be continued next summer. Adaptive Physical Education September, 1965 and continuing \$14,491 spent (\$34,600 this year) The purpose of this program is to assist students who cannot participate in \*School districts are listed alphabetically by name rather than by number. Unless otherwise mentioned, funds are from 89-10, are for the first year of program (Fiscal Year 1966) and are allocated amounts reported by school district officials. - 3 -

Title I the regular physical education program because of limitations, i.e. orthopedic, cariovascular, etc. The objectives include improvement of student's capabilities and socialization and better ability to cope with his limitations. Individual programs and instruction fit each student's needs. 54 junior high school students participated in the program which took place in three junior high schools. Two non-public schools in the district were invited to participate but did not do so. This year the program is for senior high school students. All non-public schools of high school level were requested to participate. 46 students are participating in the program. BROOKLYN CENTER, DISTRICT 286 \$9,375 Summer, 1966 Summer program 34 children, kindergarten through third grade, received special help in a summer program.

Slow Learners Program September, 1966 and continuing \$6,800

A program to help slow learners in elementary schools.

## EDEN PRAIRIE, DISTRICT 272

The Eden Prairie school district elected not to apply for any federal funds under 89-10. They do not believe in federal assistance, a school official said.

#### EDINA-MORNINGSIDE, DISTRICT 273

Edina-Morningside elected not to apply for Title I funds.

#### HOPKINS, DISTRICT 274

\$75,000 (about \$68,000 spent)

Remedial Reading Summer, 1966

Post-kindergarten Summer, 1966

Post-kindergarten program for educationally deprived students who had completed kindergarten and were going on to first grade but needed additional help.

#### GOLDEN VALLEY, DISTRICT 275

\$7,445

Remedial Reading Summer, 1966 cost \$700

Counseling September, 1966, and continuing \$6700

This project is aimed at junior and senior students in high school who do not plan on going to college. Industries are being contacted to join in a work-study program. It is hoped that upon graduation the students will find full time employment with the companies. Job placement is a goal of this project.

Title I MINNEAPOLIS, SPECIAL DISTRICT 1 \$2,482,301 In order to give Title I programs the focus indicated in the guidelines, the Minneapolis public schools decided to aim its program at those schools in which more than 15% of the children qualified as educationally deprived or handicapped. The elementary schools are Adams, Blaine (74%), Clinton, Corcoran, Emerson, Grant (74%) Greeley, Hall, Harrison, Hawthorne, Hay, Irving, Madison, Mann, Marcy, Monroe, Pierce, Warrington, Webster and Willard. Secondary schools in this category were Franklin, Lincoln, Phillips and Sheridan junior high schools and Central, North and South high schools. Programs were not limited to these schools, however. Nine Catholic and two Lutheran schools with attendance areas partly or wholly within the areas of the cited elementary schools were part of the focus on poverty areas. Also part of the program were undistricted schools serving handicapped children: Dowling, Holmes, Whittier and Agassiz. The research and evaluation required by the law is handled by a research team for all Title I programs in order to achieve maximum co-ordination. Superintendent of Schools, Dr. Putnam, remarked that the first year emphasized the use of sub-professionals, the development of existing staff competencies and an extensive summer program because funds were not available until October, 1966, when very few certificated personnel were available. Reduction in class size, extra services and special programs are an added focus in the second year of the program. November 1, 1965, and continuing Teacher Aides \$287,420 (\$241,759 this year) About 200 aides were hired last year (somewhat over 130 this year) under 89-10. They are mostly low-income residents employed to assist in non-professional tasks and give supportive adult friendship to the children. Restricted in use of aides in parochial schools by federal directive, the schools sought guidance from a Minnesota attorney general's opinion and after a delay are now moving ahead in providing aides to these schools. November 1, 1965, and continuing Higher Incentives \$172,239 (\$129,038 this year plus \$43,200 from state) Targets of this program are students with high absenteeism and low aspirations and self-concept. To combat these problems, 60 home visitors (parents in the school's district) and 28 health and welfare aides were hired to serve as a liaison between the school and its community, try to stimulate youth to stay in school, help parents understand what the schools offer and offer social services. Ten social group workers were added to the program this year. One parochial school is presently being served. Experimental Junior High November 1, 1965, and continuing \$40,479 (plus \$69,445 from Economic Opportunity Act totals \$109,924) (\$67,406 this year plus \$42,247 from Economic Opportunity Act totals \$114,279) A store-front school (at 1713 Plymouth Avenue) serving 45 children selected as potential dropouts, the school has developed new approaches to junior high curriculum for these youngsters. Grant Breakfast Program January, 1966 to June, 1966 \$16,081 (plus \$9,666 private foundation grants totalled \$25,747) - 5 -

Title I Breakfast and mid-morning snacks were served at Grant School to 500 children for five months. This was a University of Minnesota research project, the results of which are pending. School Rehabilitation Project March, 1966 and continuing \$36,450 (\$22,656 this year plus \$13,426 from state totals \$36,082) The project created a rehabilitation center in Washington school, a vacant downtown school, to which all Minneapolis children are eligible to go if they are educationally handicapped. It offers the handicapped young person the combined potential of special education and vocational rehabilitation at the terminal phase of his school program. A state grant operates the vocational rehabilitation part of the program. Project Communication January, 1966, continuing in Communication and Audio-Visual Van this year. \$60,452 (\$33,838 this year) The first part is a pilot program at Harrison elementary school in the use of audiovisual equipment and development of materials to use with this equipment. The materials, with their multi-media approach, are particularly useful for teaching children who lag in language development. In-service training is provided for teachers to stimulate their creative thinking in uses of these materials. The second part of the program centers on in-service training for target area school teachers. A van furnished with equipment and a master teacher moves from school to school. Symphony for Twenty Elementary Schools March through June, 1966 \$4,000 Quartets and quintets from the Minneapolis Symphony performed in the schools, esplained their instruments and answered children's questions in order to stimulate their interest in music. Scholarships for Remedial Reading Teachers March through August, 1966 \$22,700 The scholarships provided the course work to train ten teachers in remedial reading. Three of the teachers were added to the staff of three junior high schools, two were tutors, two were to be available to parochial schools or to replace other staff people and three were assigned to the senior high schools where remedial reading teachers were not available. (See next item) Secondary Reading Program February, 1966, and continuing \$14,736 (\$16,468 this year) Developmental reading centers at North, South and Central high schools and several junior high schools under direction of a resource teacher with the help of six teacher aides. The project aims to improve the capacity of all classroom teachers to teach reading skills, lack of which contribute to drop-out and occur with frequency in target areas. A teacher has not yet been found to serve parochial schools. Observation and Interpretation March, 1966, and continuing \$33,988 (\$27,521 this year) - 6 -

Title I Closed circuit television of demonstration teaching and student activities in target area schools. Depending on the desired purpose, both students and/or teachers can observe class activities in this adaptable program -- to learn how to teach unmotivated or culturally different children, to improve communication techniques of educationally disadvantaged children or perhaps to improve the learning of functional non-readers. Permission of parents is obtained when children are to be observed. Special Education Staff Augmentation March, 1966, and merged into other \$65.146 programs for the handicapped: Special Learning Disabilities (S.L.D.) Augmentation and Staff Development Facilitation (\$104,481 and \$16,680 this year, respectively) Children with special learning problems in 20 target area elementary schools may spend part or all of the school day in classes of from 5 to 8 children with specially trained teachers. Summer, 1966 Foreign Language Camp \$25,225 (a proposal is being written for summer, 1967) Not all junior high schools offer foreign language programs; those target area schools that do, have very low enrollment. This may be due to the fact that students' backgrounds don't prepare them for this type of experience. The camp, considered an "exemplary project" by the State Department of Education, was for students at Franklin, Lincoln, Phillips and Sheridan junior high schools. With new methods of teaching, disadvantaged youngsters appear to do well in attacking a new language. June, 1966, and continuing Fine Arts Field Trips \$19,421 (\$28,824 this year) Fifth and sixth graders in target area public and parochial schools are provided transportation and tickets for a Minneapolis Symphony and a theater performance geared to young people. Summer, 1966 Urban Area Summer Program \$1,432,627 (a proposal is being written for summer, 1967, which would request \$500,000, \$18,000 local which would be an "in kind" contribution in use of buildings and equipment and \$50,000 from the state) The 1966 Urban Area Summer Program was submitted as four projects: staff preparation and programs for both elementary and secondary schools. The staff training programs aimed to modify teacher attitudes toward low-income, disadvantaged people: develop the ability to establish rapport, understand them and teach them; and encourage teachers to remain in their assigned schools (where the staff turnover is high). About 6,000 students attended sessions for seven weeks in 25 elementary schools, nine secondary schools and two summer camps. Classes met for half-days and were limited to 20 students, 69% of whom came from impoverished families. The majority of the remaining 31% met definitions of being educationally disadvantaged by reason of remedial or developmental problems. There were programs of enrichment, field trips, reading helps, special projects in drama, art, science and social studies. The camps were in French language and in preparation for entrance into junior high. The school programs opened gyms and - 7 -

Title I swimming pools all day and during the evenings, had evening recreational programs with parents, team-teaching, 'docu-drama' and experimental curricula. An evaluating committee organized by the Hennepin County Economic Opportunity committee education task force and the schools found "desire to learn stimulated and attitude toward school markedly improved." The committee reported rifle shboting safety as part of a unit on hunting and fishing, a shop class studying and making lawn chairs according to mass production methods. individual sports like bowling and roller skating emphasized in physical education (and the teacher inviting the class to his house for volley ball, badminton and tetherball), team teaching in English and social studies, guitar and combo classes. The committee commented on the elementary program: children had built a model airport, studied plants and animals, had singfests and hootenannies, took pictures of themselves to take home, went swimming, had field trips to factories, stores and hotels and had cook-outs. Suggestions included new approaches to get needy children enrolled, more water safety, swimming and boating, a curricula differing more from the regular school year, use of more minority teacher aides, circulation of school library books in the summer, a year-round director and citizens committee, and more shop and vigorous exercise in elementary program. The committee said teachers sometimes had too many volunteers to coodinate and that in most cases one aide could serve two teachers at the secondary level. They also noticed that home visitors, nurses and social workers sometimes overlap in their home visits. Headstart Summer, 1966 \$33,725 (with \$181,447 from Economic Opportunity Act and \$21,968 local "in-kind" through use of buildings totalled \$237,140) (proposal for summer, 1967, will be for \$189,898 from Economic Opportunity Act and \$47,138 local "in kind" through use of buildings and volunteer time totals \$237,036) Headstart was a seven-week program for 1,140 children, 78% of whom were from impoverished families. It was held in the 25 elementary schools which housed the Urban Area Summer Program. The Headstart program included health exams and immunizations, social services, and field trips. The classes were small and there were classroom; aides for each teacher, audio-visual materials and exhibits. The children had breakfast together which the evaluating committee found to be a great success, many children having two or three helpings. They noted that some had never seen oranges and bananas before and didn't know the peel had to be removed. The summer, 1967, proposal calls for a six-week program serving about 100 fewer children. The higher allocation would allow for a training program for 329 persons to be employed and addition of aides to meet children at schools from which they would be bused. Under the Economic Opportunity Act, 90% of the children would have to be from impoverished families. Improved Instructional Program - Elementary September, 1966 and continuing \$271,881 Improved Instructional Program - Secondary September, 1966 and continuing \$531,062 8 -

Title I These two programs are the result of staff suggestions and reflect needs the district had previously been unable to meet. Expenditures are going mostly for about 100 staff persons who are being used in special ways. At North high school, the improvements are focused on English language programs. At Central high school, a school within a school (complete with interim principal) is working with sophomore students. At South high school, the program is reflected in all departments in a reduction of student-staff ratio. School Lunch Program November, 1966, and continuing \$277,747 The program is now in operation in six target schools -- Grant, Blaine, Hall, Hay, Adams and Greeley. Lunches are served free in case of need or at a cost of \$1 per week for the first child in the family and 50¢ for each additional child. The program involves a change in school schedule (a shorter lunch hour) and the addition of personnel to serve and supervise the children. Instrumental Music for Junior and Senior High Summer, 1966, and continuing \$32,349 Musical instruments were rented by the schools and lessons are given after school and on Saturday mornings. Parochial school students are welcome to participate. MINNETONKA, DISTRICT 276 \$20,392 received The money was used primarily for salaries of two full-time and one half-time staff persons. Last spring the district used \$7,000 for films and equipment for the senior high school. MOUND, DISTRICT 277 \$34,500 for period February, 1966 to July, 1966 (\$26,800 approved for this year) The money was used for nine projects including remedial reading, equipment, supplies and salaries, including that of a psychologist. ORONO, DISTRICT 278 \$13,500 (\$12,400 this year) This money was used primarily for salaries of a social worker and two special service secretaries to relieve specialists of paper work. OSSEO, DISTRICT 279 \$50,186, of which \$43,308 was spent (\$36,400 this year) Classroom for Socially Maladjusted and/or Emotionally Disturbed \$4,370, of which \$1,363 spent (\$8,187 this year) -- 9 -- -

Title I This program is for children who because of their emotional status cannot function adequately in the regular classroom and therefore need special help either in a special classroom or supplementary to the regular class. This project was in operation for only one month of the 1965-66 school year, so no formal evaluation was made. It is being continued. Classroom for Visually Handicapped Children September, 1966 \$2,809 (\$6,460 allocated this year) This program did not get started in the spring because a professionally trained teacher was not available. In the fall, a teacher was hired and five children from kindergarten to senior high participate. The student is in the program daily for one hour and in his regular classroom the remainder of the time. Summer, 1966 \$17,985 of which \$17,953 was spent Summer School This was a summer reading clinic for educationally deprived children with supplemental activities in physical education, library services, guidance, music and art. The program was designed to help those children who function inadequately in the regular classroom because of their reading disability. Sixty children in grades 2-6 took part in this six-week program. The average gain in oral reading was 3.9 months, in developmental reading, 3.5 months. The director was pleased most with the enthusiasm and attitude of the students. \$6 ,637 of which \$5,545 was spent Counselor In-Service Training The project was set up to upgrade counselors' competency with educationally deprived children. The sources of their training were a Natioanl Testing Laboratory (skills of human collaboration and self-understanding) and The American Institute of Family Relations (practical counseling techniques and principles specific to marriage and family counseling). The Osseo program director felt the counselors had gained much to improve their techniques in upgrading social and learning behavior of educationally deprived children. The counselors presented a sex education program for parents and junior and senior high school students in an evening course. Summer Production of Television Curriculum Materials Summer, 1966 \$18,385 of which all was spent The goal of the program was to provide video-tapes of cultural and informational programs. Resource personnel in fields such as music, drama and art. were used. Osseo has closed-circuit television and a teacher can request a certain program be sent to any one of the 10 elementary schools at a specified time. The program cannot be evaluated until the tapes have been used for some time. Two examples of the program are tapes of an art lesson by a superior art teacher and a history of the Indians in Minnesota showing and quoting from materials not obtainable in any other way. (After lack of approval of a joint Title III proposal for closed-circuit television, Osseo went ahead on its own with a less elaborate system.) Senior High School Reading Program September, 1966, and continuing \$7,914 Visiting Teachers September, 1966, and continuing \$16,953 - 10 -

Title I Two social workers help teachers identify children whose difficulty is related to social problems. They make home visits, counsel parents and help initiate needed visits to a social agency or mental health service. RICHFIELD, DISTRICT 280\* \$34,000 January, 1966, and continuing Compensatory Language Arts in Junior High \$17,500 (about same amount this year) Daily classes for junior high school students unsuccessful in school due to reading problems were held in both junior high schools. About 100 students participated last year; the same number are involved this year. Each class has about 25 students and two teachers. Non-public schools participated in the program; their students were bused. \$14,000 Summer, 1966 Summer Reading Center 72 grade school children (56 from public schools and 16 from non-public schools) were bused to an elementary school. These were children who were reading below grade level and needed special help. Summer, 1966 \$2,500 Special Education Curriculum Program A team of teachers developed a program for teaching trainable retarded children. ROBBINSDALE, DISTRICT 281 \$45,850 approximately \$23,000 RISE Program 90 first and second graders whose achievements did not warrant promotion to the next grade level were given intensive remedial reading during the summer for six weeks in the RISE (Rehabilitation Instruction in Summer Education) program. Twenty five percent of the children made dramatic improvement either in attitudes or in academic achievement. Some forty to sixty percent made gains in one area but fell off in the other. Curriculum Writing Teachers attended the University of Minnesota for studies in improving curriculum in such fields as science, language arts and math. 1965-66 school year Auditory Testing Each child in the district was provided the opportunity to have a hearing examination. Over 8,500 youngsters were examined. Money was also available to those unable to pay for corrective services. September, 1966, and continuing Remedial Reading Centers \$79,800 (plus \$25,000 from school district totals \$105,000) \*Through contract, Richfield serves children in the unorganized Fort Snelling district. - 11 -

Title I Three centers are set up in churches to serve 180 children in groups of five. Because funds were limited, it was decided that second, third and fourth grades were most important to work with. The children are bused to the 1 hour sessions which are for non-public as well as public school children. ST. ANTHONY, DISTRICT 282 Officials of this district said they felt too much time would be required to apply for funds under Title I for their district. (District 282 is small, encompassing 2 3/4 square miles, and has only 25 children eligible compared to 399 for Robbinsdale and over 9,000 for Minneapolis.) ST. LOUIS PARK, DISTRICT 283 \$74,000 Addition of Specialists to Staff A counselor for a junior high school, a social worker for an elementary school, a psychologist for secondary schools and a consulting psychiatrist (half a day every three weeks) were added. Summer Kindergarten Summer, 1966 A kindergarten program for those who had completed kindergarten but would have been "poor risks" in first grade. WAYZATA, DISTRICT 284 \$39,900 The projects for this district included expansion of programs of supplemental instruction, remedial reading, speech therapy, psychological services and testing, in the regular and summer programs for children in non-public as well as public schools. The district employed personnel, operated a special summer program, transition room and equipped a junior high reading laboratory. HENNEPIN COUNTY DISTRICTS 285, 570 and 586 District 285 at Dayton participated in Title I by sending some students to Elk River for a summer program. District 570, Oakdale School at Rogers, and district 586, Burschville School at Rogers, did not participate in any Title I programs. These common districts have been served by the Hennepin county superintendent of schools who has resigned as of March 1. The districts will consolidate. - 12 -

TITLE II (No figures were available for 1966-67 school year) BLOOMINGTON, DISTRICT 271 \$38,404 Resource materials include library books, films filmstrips, transparencies, recordings and tapes. Three non-public schools participated in the program and were loaned materials worth \$2,352. One private school did not wish to participate. BROOKLYN CENTER, DISTRICT 286 \$5,418 Library books and audio-visual supplies were purchased. Officials hope to get \$2.25 per student next year (about \$4,500). EDEN PRAIRIE, DISTRICT 272 Eden Prairie did not participate in any part of the 89-10 programs. EDINA-MORNINGSIDE, DISTRICT 273 \$15,800 The district's allowance was \$1.50 per student. Half of the funds were for library books and half for audio-visual materials. No evaluation of the material has been made yet. Three non-public schools participated and were loaned materials worth \$935. HOPKINS, DISTRICT 274 \$20,000 The district's allowance was \$1.75 per student. The money was spent for library books and aids. GOLDEN VALLEY, DISTRICT 275 \$2,900 This money was used to purchase library books and aids. MINNEAPOLIS, SPECIAL DISTRICT 1 \$118,635 The money was spent for books and audio-visual materials. The allowance per student was \$1.25. Instructional materials for non-public schools are deposited at near-by public high schools and are loaned for a year at a time and delivered to the nonpublic schools. The lack of approval of the school bond referendum in November, 1966, 'may have a grave effect" on whether the school district can qualify for Title II funds next year, according to a school official. MINNETONKA, DISTRICT 276 \$15,470 This amount was used for resource materials. - 13 -

Title II MOUND, DISTRICT 277 \$6,750 This amount was spent for library books and the school district was waiting in November, 1966, to be reimbursed for this 1965-66 expenditure. ORONO, DISTRICT 278 \$3,500 The total amount was used for library books. OSSEO, DISTRICT 279 \$20,000 Library books and visual aids were purchased for this allocation although the district had not been reimbursed as of December, 1966. A district official commented that this title is a great help to them and a very good section of 89-10. RICHFIELD, DISTRICT 280 About \$29,250 The allotment was \$2.00 per child. ROBBINSDALE, DISTRICT 281 \$52,000 (approx.) This district's allowance was \$2.00 per pupil. About half was spent on audio-visual materials and half on library books. About 300 new filmstrips were added to each elementary school and additional films and records to each secondary school. Four non-public schools borrow materials which they selected. ST. ANTHONY, DISTRICT 282 \$4,800 The money was used for books and aids. ST. LOUIS PARK, DISTRICT 283 The district's allotment was \$1.75 per child. The money was used for educational material for each student. WAYZATA, DISTRICT 284 \$11,500 Library books, audio-visual and other instructional materials were purchased for use of public and non-public schools in the district. HENNEPIN COUNTY, DISTRICTS 285, 570 and 586 \$819.40 The money was spent on audio-visual aids. They are kept in the county superintendent's office library at the court house and the teachers make arrangements to borrow these aids for their school use. - 14 -

TITLE III\* BLOOMINGTON, DISTRICT 271 A number of proposals were made last year but none were approved. This year the district is requesting an operational grant for an instruction and resource center at the Hubert Olson elementary school scheduled to open in the fall of 1967. Bloomington is also participating in co-operative projects listed below. BROOKLYN CENTER, DISTRICT 286 The district submitted a proposal last year for a cultural center in co-operation with some other suburbs. This was not approved and the district decided not to reapply. HOPKINS, DISTRICT 274 Hopkins has received a \$42,763 planning grant for modular scheduling. School officials consulted with other schools in the country which have adopted this type of scheduling and spent considerable time at Stanford University studying how the plan would work. The concept of modular scheduling discards the time-honored school day of an hour for each class. Instead, it utilizes the best lecturing teachers for lectures to large groups of students, freeing other teachers for close work with small groups. It schedules varying numbers of modules (units of time) for various types of studying and gives the student a much greater amount of freedom to spend his time where he feels he needs it most. If the program is adopted, it will be started in the senior high school only. Hopkins is also participating in co-operative projects listed below. GOLDEN VALLEY, DISTRICT 275 Golden Valley received a planning grant of \$37,800 to be used to plan an area Science and Biological Laboratory. An operational grant is being sought. Golden Valley is also participating in co-operative programs listed below.

#### MINNEAPOLIS, SPECIAL DISTRICT 1

Minneapolis has received a planning grant of \$15,174 for a Talented Youth Project which would be a summer program for exceptionally gifted and able students from Minneapolis and St. Paul. Modelled on St. Louis' Mark Twain Institute, it would offer college-level studies in humanities, arts, and sciences to talented youth. Applications for an operational grant were submitted under both Title III and Title IV. When the \$90,300 grant was approved under Title IV, the other application was withdrawn. However, Title IV funds are temporarily frozen and the project has been resubmitted under Title III. In spite of the seemingly precarious position of the application, a State Department of Education official says he feels funds will be forthcoming.

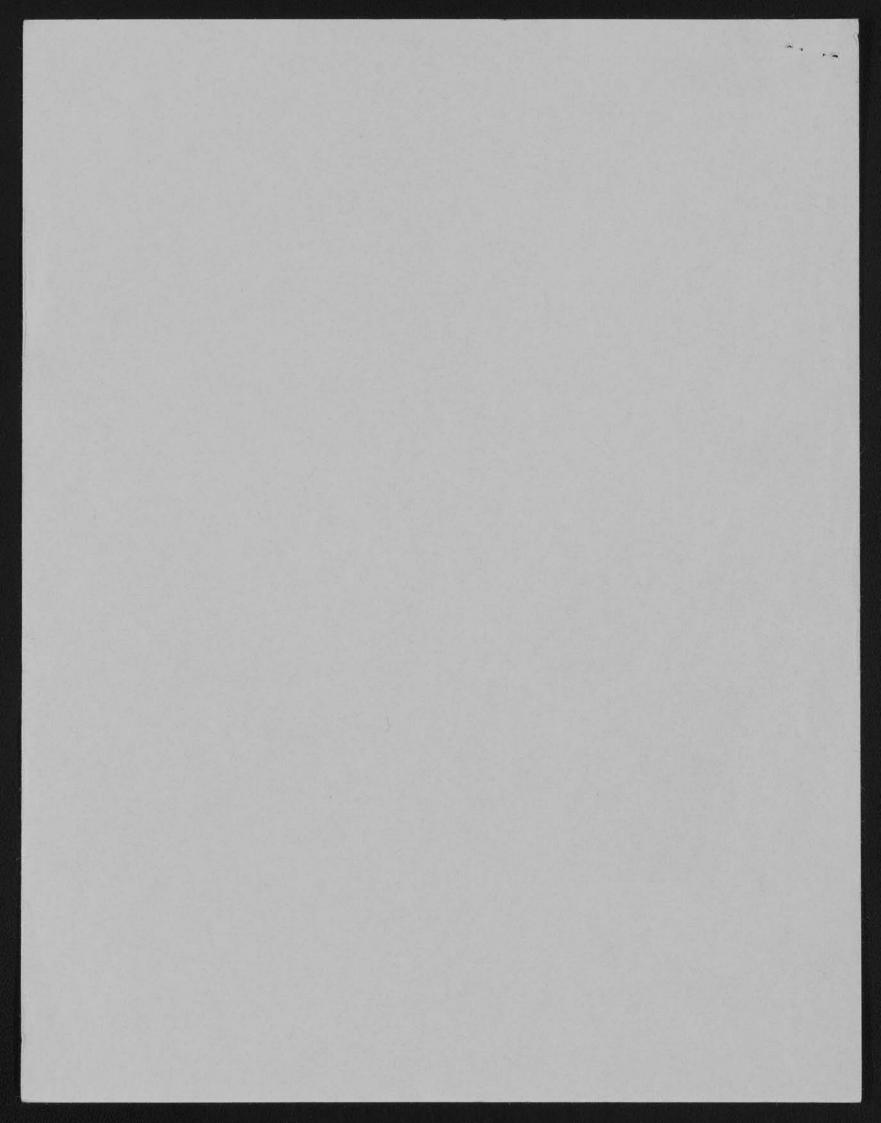
An operational grant of an amount expected to be about \$57,839 has also been announced for a curriculum research enrichment program. Under the program, volunteers would visit classrooms to talk about their jobs, hobbies or travels.

A grant of \$16,6000 has also been approved to operate an in-service training center in music for elementary school teachers.

<sup>\*</sup> Amounts of grants cited are from State Department of Education

Title III MINNETONKA, DISTRICT 276 Minnetonka, received \$48,770 last year to set up closed-circuit television. During the current year the district received \$12,248 which was used for technicians' salaries. ROBBINSDALE, DISTRICT 281 The Robbinsdale district received a planning grant of \$26,600 to plan an Earth-Space Science Laboratory Demonstration Center. The proposal is based on the premise that there is a need for specialized facilities where students can come to observe and do experiments which require special equipment of guidance. A director and an assistant have been employed to implement the planning grant. Application for an operational grant will follow. Robbinsdale also participates in co-operative projects listed below. ST. LOUIS PARK, DISTRICT 283 St. Louis Park received a planning grant of \$1,442 to develop a program which would help junior high students who have academic and emotional problems. There would be parent involvement in the project. An operational grant of \$31,553 is being sought. St. Louis Park is also participating in co-operative projects listed below. WAYZATA, DISTRICT 284 District 284 applied for about \$52,931 to develop a computer instructional center. However, the project was quite expensive in relation to enrollment and cost per pupil, and it was not approved. EDEN PRAIRIE, (DISTRICT 272), MOUND ( DISTRICT 277), ORONO (DISTRICT 278), ST.ANTHONY (DISTRICT 282), and HENNEPIN COUNTY DISTRICTS 285, 570 and 586 did not apply for funds under Title III. CO-OPERATIVE TITLE III PROGRAMS Several co-operative Title III programs are being tried by school districts. One joint venture, however, was turned down three times. It would have set up a closed circuit television system for Osseo (district 279) and Robbinsdale (district 281). School officials complained that they had never received an explanation for the refusal by federal authorities. The project had been approved by state officials. Two other joint proposals are for a data-processing service facility and a mental health center. The planning has been done by the staff of the Educational Research and Development Council, a University of Minnesota-based council of which 41 school districts are members. The Edina, St. Louis Park, Hopkins, Richfield and Bloomington school superintendents, acting as a joint board for the Suburban School Service, received planning grants of \$56,225 for the computer center and \$27,630 for the mental health center and hired the council to do the planning. The computer center, to be developed during the next five years, would offer data processing services in twelve fields including student and faculty records, accounting, budgeting, equipment inventory and business office information. Initial services would be in student attendance, scheduling, grade reporting and guidance. The mental health center would serve public and non-public school students. Part of the program would be in-service training for teachers to increase their sensitivity to mental health principles, a parent education program and the development and strengthening of existing counseling and guidance services. · = 16 -

Title III Federal grants might pay for part of the costs and a system of dues from participating schools the remainder. WHAT DO EDUCATORS THINK OF 89-10? These comments were typical. A program director of a suburban school wrote: 'We have been very thankful for Public Law 89-10 and the benefits our children have already received under Title I. We are now beginning to provide services that we knew we needed but did not have the finances to offer. We are just making a dent in these needs and we hope that Congress will not only continue this law, but will increase the monies to be allocated to these programs so that children will receive the full extent of the services they require to become mature responsible citizens in our country. The Rt. Rev. R. J. Connole of the Catholic Archdiocesan bureau of education said he feels the co-operation between the Minneapolis school system and his office has been excellent. He said he had heard no complaints from the suburban Catholic schools although Minneapolis is the only Hennepin County district with which he deals directly. A superintendent wrote: Some have "the wrong idea of the purpose of this federal aid. It is aid to economically and educationally deprived children and not to school districts or taxpayers. It is my opinion that it is paid to schools because there is no better way of making these children self-supporting than to give them an education that will make them able to support themselves . . . We should see that it isn't spent for (luxuries). We school people have been so concerned about our money problems that we believed the aid was for us and not the poor children . . . If school superintendents do not use the money for the purposes for which it was intended the error is theirs. If they use it for luxuries they and not the government that sought to help the impoverished are at fault. Poor school districts and poor children are not the same.' A program director said, "For the first time in the history of federal programs we have to set up criteria and really evaluate our projects, not just subjectively but objectively as well. From an administrative aide: 'We would like to see some of the procedures for getting federal funds simplified. It is important to have proper accounting of these funds, but perhaps this can be accomplished even if much of the red tape is eliminated. We feel very definitely that the decisions of how the federal funds can best be spent should be left to the state departments of education and local school districts." A Minneapolis school official involved in Title II programs: "The allowance for each school child in a district is determined by a formula taking into account the assessed wealth of the community as determined by property valuation. I feel it would be much more fair if the formula were based on the level of income of the community.' Additional copies of this report may be ordered for 25¢ each from: The League of Women Voters of Minneapolis 84 S. 6th St. Room 414 Minneapolis, Minnesota 55402 Phone: 333-6319 - 17 -



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PARENTS FOR INTEGRATED EDUCATION, INC.

A City-Wide Citizens Group Dedicated To Better Education Through Integration



## URBAN SCHOOL INTEGRATION:

## Mrs. Ralph D. Ebbott 409 Birchwood Ave. WHITE BEAR LAKE ANNIN SESSO

## STRATEGY FOR PEACE

By ROBERT L. CRAIN, assistant professor of sociology, University of Chicago, and a senior study director of the National Opinion Research Center; and MORTON INGER, research sociologist at the Center for Urban Education, New York.

HE STRUGGLE over de facto school segregation, which has turned the urban North into a political battleground, may well be coming to an end. During the past four years, the desegregation controversy has been the issue in school board elections from Pasadena to Boston. It has spurred the growth of anti-Negro organizations in a number of cities, and it was the spark that set off a riot in Cleveland. Despite this unattractive history, there is considerable evidence that intense conflict over school integration is avoidable, and that in only a few years widespread school integration without conflict will be the rule rather than the exception.

From 1964 to 1966, the National Opinion Research Center, under a contract with the United States Office of Education, studied the desegregation issue in eight Northern and seven Southern cities. Among them are New Orleans, Atlanta, Montgomery, Columbus (Georgia), Jacksonville, Miami, Baton Rouge, Pittsburgh, Baltimore, St Louis, Buffalo, San Francisco, and Newark. [The results of the study will be published by Aldine Press this spring, under the title School Desegregation: Comparative Case Studies of Community Struc-

ture and Policy Making.] One of the surprises of that study is that every city has not had conflict. Newspapers and magazines have not brought their readers a systematic picture—the good news as well as the bad.

Boston's Louise Day Hicks and former Chicago superintendent Benjamin Willis are household names, but how many Americans have heard of Daniel Schlafly of St. Louis and William Rea of Pittsburgh? The battles in Boston and Chicago have made good newspaper copy; but the news from Pittsburgh, Baltimore, Los Angeles, St. Louis, and Detroit is more often good than bad and may be more significant-but is largely ignored by the press. St. Louis, for example, while dramatically increasing the number of elementary school students in integrated schools, has induced the white voters to support school taxes and to elect Negro school board candidates.

We can expect the education profession to develop a strong commitment to integration as an educational tool. Though there are now relatively few school superintendents who think integration is educationally beneficial, their number is growing rapidly. We have already reached the time when the ambitious young educator can most effectively advance his career by espousing quality integrated education. And even those education journals which ordinarily deal only with housekeeping questions are now carrying recipe-type articles on how to desegregate.

And now, this trend has been given very strong empirical support by the publication of the federal report, Equality of Educational Opportunity. This massive research project, commissioned in 1965 by the U.S. Office of Education and completed last summer, found the racial balance of the school to be one of the few factors within the school system's control which improved the student's educational achievement. Others such as the pupil-teacher ratio, per-pupil expenditure, or the curriculum, were found to have had relatively little effect. Though the problem is complex and there will no doubt be considerable debate over these findings, it now seems only a matter of time before the education profession takes as settled the proposition that school integration is one simple way to improve the school achievement of Negro pupils.

That the trend is a strong one is indicated by two surprising events this fall. The Oakland, California, school system, which has had one of the most volatile racial situations in the nation and a school board ideologically opposed to integration, has begun busing Negro pupils into predominantly white schools -with federal funds. In the East, the president of the Syracuse school board, who was the Conservative candidate for Governor of New York in 1962 and has steadfastly opposed desegregation, announced last fall that he had seen studies which showed that Negroes make a significant gain when put in an integrated school, and now advocates the busing of Negro pupils into white schools.

Soon the majority of school superintendents across the country will stop merely tolerating integration and start wanting it. Once the superintendents reach that point, school integration will be much closer to being a matter of routine educational policy. It would be difficult to overestimate the significance of that change, for it is taken for granted that, within limits, public opposition is not grounds for rejecting an educational innovation. New math was not put to public referendum, and the superintendent who suggested that it should would be a strange educator indeed.

School Integration

Parents for Integrated Education wishes to thank the St. Paul papers and to commend Jackie Germann for her recent coverage of the Horace Mann meeting on the P.I.E. project. It is important that St. Paulites be aware of the generous financial support of Negro and white citizens that has made voluntary busing for integration possible. Because of the growing response of small contributors, P.I.E. feels justified in assuring the school board of community support for integration plans.

P.I.E. has operated "in the black" from the beginning. Our purpose in contacting the school board was to urge them to look to the future, for ours is only a three-year pilot project, and the problem of de facto segregation remains a public problem. Thank you for clarifying this issue.

PATRICIA R. BRATNOBER President, P.I.E.

St. Paul

SR/February 18, 1967



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LWV of Minnesota, State Organization Service, U. of M., Minneapolis, Mair October 1966 PRESENTATION SUGGESTIONS Project Update: Minnesota Education - Equal for All? With this peek at education in Minnesota. the League will be looking at a new area of state government. You can make as much of it as you will! This study has grown out of our state interest in Equality of Opportunity. It is also closely related to our national position on the Development of Human Resources, "The Federal government shares with other levels of government the responsibility to provide equality of opportunity in education and employment for all persons in the U. S." Chapter III of Human Resources, Minnesota's Changing Patterns is required background material and should be reviewed by all members. To keep you up to date on the federal government's programs in education in Minnesota, a new Human Resources Newsletter, Focus on Education, PL 89-10 in Minnesota, is included in this mailing. Project Update: Minnesota Education - Equal for All? divides into three areas. First is the state's role in education and then the two specific problem areas of school district reorganization and urban de facto segregation. Perhaps one problem area is of more immediate concern to your League than the other, but as any resulting action would be on the state level, it is important that all Leagues throughout the state be informed on both issues. We urge you to use the Update as an every member publication, getting it to the members prior to the unit or general meeting. It would be best to have a full meeting for this study, however, you might like to look at this subject in conjunction with a national Development of Human Resources meeting. A discussion leader's outline is enclosed. We are asking that you reach consensus, based on your discussion. A consensus report form for each unit is enclosed. Please fill out and return with comments to the state League office by March 1. Suggestions for expanding the study: 1. "Go-and-See" or have them "Come-and-Talk" - the schools and the personnel involved in these problem areas of the ungraded school, the Common School District, the high school with less than 300 enrollment (for 6 grades), or the high minority urban school. 2. Have authorities talk to your group - members of the State Advisory Commission on School Reorganization, members of County Survey Committees, the State Board of Education, state PTA officials, county superintendent of schools, local educators, local civil rights spokesmen, etc. 3. Use of charts and graphs based on the statistics in the Ninth Report of the State Advisory Commission on School Reorganization, State of Minnesota, January 1965 (available from the State Department of Education, Centennial Office Building, St. Paul, Minnesota) - and/or Equality of Educational Opportunity, Summary Report, US Dept. of Health, Education & Welfare, Office of Education, July 1966 (available by request from your US Senator or US Representative).

LWV of Minnesota, State Organization Service, U. of M., Minneapolis, Minn. 55455 October 1966 DISCUSSION OUTLINE SUGGESTIONS I. All authority for education rests with the state legislature. It has created the local school district and the State Board of Education. If the problems of offering an equal opportunity in education aren't being faced by the local officials, what should happen - rely on local concern to force the issue? - rely on the state legislature to change the relationship between the powers and functions of the local and state agencies? - rely on federal involvement? II. Is it fair to say that the problem areas of de facto segregation and school district reorganization are issues that are not now being faced locally? Why do you say this? III. De facto segregation a. High minority student populations exist in some Twin City schools. The achievement levels in these schools are below the urban average. Many factors are involved. Does race play a role in this? b. Who should have the burden of the many problems of the high minority, slum area school? PL 89-10 provides federal funds for special programs in slum area schools on the assumption that poverty and educational deprivation are associated. If, as is claimed, high racial concentrations contribute to educational deprivation, whose problem is it? The local school district? The schools from a larger area including suburban schools? State concern? Federal concern? All or any combination? School District Reorganization There are two problems associated with the small school. First is the problem of the Common School Districts. They provide only elementary schooling and are ungraded, i.e. none of their schools meet the minimum state standard of one certified teacher for at least every two grades. These are the one-teacher schools. (Some Independent Districts have the same sort of schools, but they are far less common.) a. Is the small elementary school, the "one room school house," giving Minnesota children an equal educational opportunity? Would a larger but farther away school do a better job? Why do you feel this way? The second problem is the small high school that doesn't have the pupil or financial base to support a modern, full curriculum. All secondary education in Minnesota is now provided by Independent or Special School Districts. Consolidation doesn't automatically insure a modern education. b. If legislation is passed forcing consolidation of the Common Districts (by making them offer education for 1 to 12 grades), how can the formation of more small high schools be avoided? How can the small enrollment, limited course high school be improved?

LWV of Minnesota, State Organization Service, U. of M., Minneapolis, Minn. 55455 October 1966

#### CONSENSUS REPORT

#### Equality of Opportunity - Education

Due: March 1, 1967

1	Name	of League _	•	
II	Gro	up replying:	Unit General Meeting League Board	
III	Number of League members represented  (Total membership of the particular group)			
IV.		Have you had an equality of opportunity in education study on the local level?		
V.	Have you found local problems in equality of opportunity education where state action is necessary or desirable?			
	If yes, what type of state action?			
VI.	Under our national position on insuring equality of opportunity in education, we are able to act now to seek state involvement in these problem areas. What action to further equality of opportunity in education do you feel is desirable at the state level?  In addition we have our state study which looks at two specific problems. The decision on what actions the State League Board takes rests upon member consensus.			
	a.		at of state involvement in meeting the problems posed segregation	
	ъ.		in efforts to increase high school size so that an eation can be assured	
	c.	Involvement consolidatio	in efforts to bring about school district	
	d.	Other		

Please be generous with your comments. Complete and mail to: League of Women Voters of Minnesota State Organization Service, University of Minnesota Minneapolis, Minnesota 55455

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## Project Update

LEAGUE OF WOMEN VOTERS OF MINNESOTA

## The Minnesota School System - Equal for All?

"Ultimately, education serves all of our purposes—liberty, justice and all our other aims — but the one it serves most directly is equality of opportunity. We promise such equality, and education is the instrument by which we hope to make good the promise. It is the high road of individual opportunity, the great avenue that all may travel. That is why we must renew our efforts to remove the barriers to education that still exist for disadvantaged individuals — barriers of poverty, or prejudice and of ignorance. The fulfillment of the individual must not be dependent on his color, religion, economic status or place of residence." John W. Gardner, National Goals in Education, from Goals for Americans, 1960.

Since 1949 the League of Women Voters of Minnesota has been concerned with various phases of equality of opportunity. Our studies have lead to support of policies to insure equality in employment, housing, and public accommodations. We now wish to broaden the scope of our interest by looking at some of the problem areas associated with insuring equality of opportunity in education.

It is important first of all to examine the interacting roles of state and local educational agencies. What powers has the Legislature delegated to the State Department of Education, what powers rest with the local school board? Equality of opportunity in education involves many issues which are of vital concern today. This study is limited to two of these. One is the difficulty in providing an equal educational opportunity in the small school, usually rural, supported by a district with very limited resources. The other is the problem of providing an equal opportunity in education to racial minority students concentrated in urban areas. It is the issue known as "de facto" segregation.

#### The Minnesota School System

The Minnesota Constitution, Article VIII requires the Legislature "to establish a general and uniform system of public schools" and to "make such provisions, by taxation or otherwise as . . . will secure a thorough and efficient system of public schools in each township in the state."

As a part of meeting this obligation, the Legislature in 1917 created the State Board of Education. It is composed of 7 members each from a different congressional district at the time of appointment, appointed for a term of 7 years by the Governor with consent of the Senate. Its powers and duties include:

- forming educational policies for the state within the framework of statutes relating to education.
- distributing legislatively approved funds.
- fixing reasonable requirements the districts must meet in order to receive state aid and providing supervision for compliance.
- certifying teachers and supervisors.
- · acting as the State Board for Vocational Education.
- receiving and distributing federal funds in accordance with federal regulations and state law.
- prescribing suggested courses of study, uniform record systems, site and building regulations.
- making legislative recommendations.
- selecting the Commissioner of Education who is appointed for a 6 year term. He is the secretary and executive officer of the State Board of Education. His duties include the administration of the Department of Education.

The State Board of Education has the limited powers specifically granted by the Legislature. Historically speaking, providing an education has been a local responsibility. The "general charge of the school district and the business thereof. . ." remains a local function. Specifically the local school board is responsible for the care, management, and control of the district. Among its duties and powers are:

- appointing, where applicable, a superintendent of schools; hiring qualified teachers; setting salary schedules.
- determining the length of the school term, over and above the state minimum of 170 days in session for full payment of foundation aid; setting the local school calendar.
- setting internal school boundaries.

- providing by tax levy the funds necessary to run the schools, paying indebtedness and all other proper expenses.
- determining which advanced or enriched courses will be added to the state set basic curriculum.
   This is done upon the advice of the professional staff, under guidelines set by the State Department of Education.
- providing free textbooks for all students.

Minnesota law defines the formation of school districts. As of July 1, 1966, there were 1,375 districts, the 3rd largest number in the nation. The great majority of students attend 449 <u>Independent Districts</u>. These are the consolidated districts that provide for education through high school. The districts are governed by an elected six member school board which may be expanded to seven members if the district so decides. (Similar to Independent Districts are the 5 <u>Special Districts</u>. These all have high schools. They operate under local charters granted by the Legislature.)

Most numerous are the Common Districts. Minnesota has 921 serving a total of less than 30,000 pupils or an average of about 32 pupils per district. These provide only ungraded\* elementary schools and do not maintain secondary schools. They are governed by an elected three member board — chairman, treasurer, and clerk. The state also has some Unorganized Territories which are lands that have never been a part of a district. And a very few districts still remain, for special reasons, which do not operate any schools.

#### The Small School in Minnesota

#### The Problem

There are approximately 5,000 one room schools still operating in the United States. Minnesota has 737 of these elementary schools, staffed by one teacher, teaching from 2 to 35 students. In addition there are 204 more schools, having more than one teacher, that are also classified as ungraded.\* Most of the state's ungraded schools are operated by the 921 common districts. It is these districts, small in area, small in population, small in financial resources that are seen as the problem.

There is the special problem of the common school district with primarily an all Indian enrollment. Here racial factors on both sides favor the present segregated arrangement. The Indians feel that having their "own" school gives their students a greater sense of security and belonging. However, when these students at 7th grade go by bus to the consolidated

school, adjustment problems are most difficult. The drop out rate is very high.

The small school is also a serious problem at the high school level. While size does not guarantee quality, advanced curricula, well-qualified teachers, guidance and counseling services, health services, adequate libraries and other teaching tools, all require a sufficiently large student enrollment and financial base. The Minnesota State Advisory Commission on School Reorganization has recommended on the basis of state and national studies a minimum of 300 pupils per six-year secondary school with approximately 11/2 million dollars of assessed valuation per district. In Minnesota, in 1965, there were 221 high schools with less than 300 pupils; 378 schools had more. Students attending these small high schools are not receiving an equal educational opportunity. Many of the schools are unable to offer physics or chemistry, solid geometry or trigonometry. A substantial number have no industrial arts courses or courses in typing or office machines. The drop-out rate tends to be above the state average; the percentage who go on to college, well below. A study of the relationship between student achievement and high school size done by Dr. Feldt of the State University of Iowa showed that, "In every major area the average achievement of ninth grade students in the largest schools is consistently higher than that of students in the smallest schools. . . . the discrepancy between achievement in large schools and and achievement in small schools has increased between grades 9 and 12."

## Present Legislation - The School District Reorganization Act

The legislative approach to the problem of the small school has been directed toward efforts to get larger school districts. In 1911 a consolidation law was passed permitting districts to merge. The School District Reorganization Act was passed in 1947. The purpose of the Act is to encourage the formation of independent school districts. It establishes procedures for organizing school survey committees. These are empowered to recommend formation of stronger districts providing for an expanded program of education. The recommendations are subject to state and local approval. In 1947 there were 7,606 districts in the state. Gradually the number has declined, aided by a 1963 law which automatically dissolved most of the districts that were not operating schools. But, as of July 1, 1966, Minnesota still had 1,375 districts.

#### **Proposed Solutions**

The State Advisory Commission on School Reorganization, established by the Legislature, states as the goal for Minnesota, "Having all the area of

the state within districts which maintain a comprehensive program of education from grade 1-12 that can meet the needs and abilities of all children." They recommend two phases. First, that the 921 common districts merge or combine with existing independent districts. The second phase is to establish enforceable minimum standards regulating high school size.

Legislation will again be proposed in 1967 requiring that all districts provide graded elementary and secondary schools. Proponents state that by forcing the formation of districts large enough to support a high school, the small inadequate school will be replaced. It is argued that these small schools cannot provide the education needed for today's world. The costs are excessive not only in the high pupil-teacher ratio, but also in the failure to help individuals make full use of their talents. Twenty years has been sufficient time to work at the problem on a voluntary basis. Opposition is based on financing problems, losing local control of the school, losing a community center of focus, the long bus ride, the difficulty in taking part in extra curricular activities, and the attitude that the education now being provided is sufficient for local needs.

A suggestion has been investigated of establishing Intermediate Units or Cooperative Service Areas. These could combine several districts on a cooperative basis with power to levy taxes to provide supplemental services. While it could be a worthy approach to providing needed services, it has tended to retard district merger where it has been tried in New York and Missouri. In Iowa and Wisconsin where it is under consideration, legislation forcing school district reorganization has already been passed.

## De Facto Segregation in Minnesota's Schools The Problem

By sight count, there are elementary schools in the Twin Cities with 50%, 80%, as high as 90% Negro populations. In Saint Paul, 66% of the Negro children attend schools which have a negro majority. De facto segregation exists in Minnesota.

Does their race influence the education these children are receiving? It is argued that any educational handicaps these children might have is due to their poverty and slum living conditions. The areas with high minority concentrations are also poverty areas. The underlying assumption of the Federal Elementary and Secondary Education Act is that there is a correlation between poverty and educational deprivation. James Conant in *Slums and Suburbs* states that "the real issue is not racial integration but socio-economic integration." He feels that with more expenditures of money for staff

and facilities, the inferiority caused by the absence of white children can be largely eliminated and satisfactory education can be provided in an all-Negro school.

But statistics now available show that in the metropolitan midwest as well as in all other sections of the United States, race is a factor in a child's educational opportunities. The report, *Equality of Educational Opportunity*, was commissioned by Congress under the Civil Rights Act of 1964. It is a compilation of data from a survey conducted in September and October 1965 of 645,000 pupils in 4,000 public schools throughout the nation. Among its conclusions:

- 1. On standard achievement tests, the average minority pupil scored distinctly lower at every level than the average white pupil. As the grade level increased, the deficiency in achievement increased for the minority student. "Whatever may be the combination of nonschool factors poverty, community attitudes, low educational level of parents which put minority children at a disadvantage in verbal and nonverbal skills when they entered the first grade, the fact is the schools have not overcome it."
- 2. School facilities, curricula, school services, school activities have only a minor effect on achievement. However, the achievement of minority pupils depends more on the school they attend than does the achievement level of majority children.
- 3. The quality of the teacher greatly influences achievement. This increases in the higher grades and is of more importance to minority students than whites
- 4. The attitude and motivation of the student body shows a strong relationship to achievement. A minority student from a home without much educational strength is likely to increase his achievement when put in with schoolmates with strong educational backgrounds. In the reverse situation, if a white pupil from a home that is strongly supportive of education is put in a school where most pupils do not come from such homes, his achievement will be little different than if he were in a school composed of others like himself.

5. School integration, even in the short run, did improve reading and mathematics achievement of Negro pupils although the differences were small. Average test performance increased as the proportion of white classmates increased.

The report clearly indicates that many variables affect the outcome of a child's education. Teacher ability, peer motivation, and parental encouragement are perhaps the most important. Improving the segregated school can help improve these factors. Integration into a high achieving white school should improve teaching level and student body motivation. It should and does improve achievement.

<sup>\*</sup> Ungraded schools are classified by state law as not meeting the graded school requirement of having at least one certified teacher for each two grades.

#### Present Legislation

Minnesota has an 1877 law, 127.08, which forbids classifying or separating pupils with reference to race, color, social position or nationality. The penalty is forfeiture of the district's share of the school funds. This law prevents keeping of records by race, but it does not apply to the racial imbalance issue.

#### **Proposed Solutions**

The Educational Policies Commission of the National Education Association of the United States has recommended, "Within a district, funds should be expended to equalize opportunity, not to equalize per-pupil expenditure. The greatest help should be given to the children in greatest need." This is in line with Mr. Conant's view and the current federal emphasis.

Several proposals have been advanced to increase integration:

- · redrawing school boundaries.
- placement of new schools to promote maximum integration.
- transporting minority children into white schools with vacancies.
- pairing Negro and white school districts with all students attending one school for some grades, the other school for the remaining grades.
- changing the feeder pattern to the secondary schools.
- establishing specialized schools which would cross several district boundaries.
- forming "education clusters" which would bring together on one campus elementary and secondary schools from broad attendance areas.

In Minnesota the responsibility to affect prevailing conditions rests primarily with the local school board. They spend the money within the district, set school boundaries, place new schools, hire and assign teachers within the system, set supplemental teacher training requirements, etc.

#### The Role of the State

At least five states have acted with regard to de facto segregation. They are New York, California and New Jersey through policy statements of Commissioners and/or State Boards of Education, and Illinois and Massachusetts by statute. New York was the first when in 1960 the Board of Regents stated that, "Even adventitious segregation of Negro pupils in public schools may adversely affect their motiva-

tion to learn and is, therefore, a denial of equal educational opportunity under state law."

Laws were approved in Illinois in 1963 and Massachusetts in 1965. The Illinois act requires all school boards to review attendance areas and change or revise them to eliminate segregation. The Massachusetts statute calls for the same review. It has its own definition of racial imbalance. The law demands progress in elimination of imbalance within a reasonable time and adds the sanction of possible withholding of state aid. Provision is made for judicial review in case a school committee refuses the recommendation of the State Board or if the State Board refuses to approve a school committee's revised plan for desegregation.

The legal status of de facto segregation is unclear. On the basis of decided cases, the school board may, if it wants to, take racial factors into account in setting boundaries, but it does not have to. The New York Supreme Court upheld redistricting designed to alleviate de facto segregation. But in Indiana a Federal District Court held that a school board was not required by the Constitution to establish racially equal districts. The U. S. Supreme Court has declined to decide the issue.

And what of Minnesota? Some feel that there would be advantage in having state leadership face this issue now. State action could be a stimulus to local effort. It may be better to set programs in motion now rather than waiting until a crisis forces action.

Under powers presently available to the State Board of Education, it can take the action of setting guidelines and issuing policy statements. To date, the state has not become involved in this issue. A study is being made of the goals in education for the whole state with the findings due in another year. This study may help in finding solutions. It is argued that pious platitudes without the backing of sincere local interest in facing the problems are not really very effective. For guidelines to be meaningful, legislation would be necessary providing for some form of sanctions, such as withholding state aid funds.

It may be hard to see much relationship between a one room school in Ottertail county and an over-crowded Maxfield school in Saint Paul, but they do have a lot in common. Statistics would indicate that children currently attending either kind are not receiving an education that will give them an equal chance in tomorrow's world. What responsibility does the state have toward these children? How can it best be fulfilled?

LEAGUE OF WOMEN VOTERS OF MINNESOTA

State Organization Service
University of Minnesota—Minneapolis, Minnesota 55455

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# HUMAN RESOURCES IN THE NEW SLETTER

October 1966

#### FOCUS ON EDUCATION; PL 89-10 IN MINNESOTA

Affirming that education is a valuable tool in developing the nation's human resources, the Federal Government is now involved in several programs aimed at stimulating education both in and out of the school. A partial list of these aids includes: School Assistance to Federally Affected Areas, Library Services and Construction, National Defense Education, Manpower Development and Training, Higher Education Facilities, Vocational Education, Economic Opportunity, Higher Education, and Elementary and Secondary Education Acts.

Several of the above acts have involved the local school. The National Defense Education Act provides matching grants to strengthen selected areas of school curricula and to assist in improving counseling. But the Elementary and Secondary Education Act, PL 89-10, passed in 1965, has had perhaps the greatest impact on the individual elementary and secondary school.

The basic purpose of this Act is an attack on poverty through aid to educationally deprived children from poverty stricken areas. It encourages the establishment of special programs designed to overcome the handicaps of these children. It also attempts to stimulate the updating of the educational system by: 1) bringing the latest research, programs, and procedures into the schools, 2) encouraging the schools to innovate, 3) providing funds for supplemental instructional materials based to some extent on need, 4) seeking improvement in state administration.

The Act relies on local initiation of programs and local administration. It attempts to involve the whole community in these programs. The local participation in financing of education must be maintained. By stressing programs to aid the child and not the institution, funds are available equally to qualifying non-public as well as public school children. The public school agency maintains full responsibility for all programs and all equipment purchased. In this way, the Act circumvents the issue of governmental aid to parochial schools.

Title I, Special Programs for Educationally Deprived Children receives the greatest financial emphases. Money is apportioned per school using a formula based on the number of children coming from low income families in the district. It is assumed that there is a correlation between poverty and the number of educationally deprived or handicapped children. The funds are used to finance the programs submitted by the school to aid these children. The state approves projects and distributes the money with provision for federal review. This is to assure compliance with the federal guidelines.

The bill is obviously written with the large city slum areas in mind. Here poverty and educational deprivation are concentrated and here, so far, locally financed education has not really tackled the special problems these conditions pose. With federal funds, the schools serving these areas can now hire professional help to draw up programs which will provide massive special services. Since most of the children will be from families meeting the poverty guidelines, all students in the schools can be involved. However, the bill as passed, applies

October 1966

to poverty everywhere. This leads to administrative problems in the smaller cities or rural areas since only a limited number of students in these areas meet the poverty qualifications; designing programs to serve these children becomes difficult. (For instance, while all students in a rural school could be said to be deprived of big city experiences and would benefit by using the funds to visit the Twin Cities, this cannot be approved because only a limited number of the students meet the poverty qualification.)

How well is the Act functioning? Because of the tardiness in preparing federal guidelines and in appropriating funds, tremendous effort was required to dispense the allotted monies within the required time. The first year report shows that Minnesota school districts applied for approvable projects that used 78% of the state's allotted monies. Only 8 other states used a smaller percentage. The final evaluations of the effectiveness of the programs will have to wait until there has been more chance for them to function. (The chart on the following pages itemizes each section of the Act.)

The following are some areas of concern:

- 1. Some small school districts have not applied for their earmarked funds. In some cases there is opposition to the philosophy of federal aid and no applications were made. In some instances the County Superintendent of Schools, who is supposed to assist the common school districts in preparing approvable applications, failed to act. The small school is handicapped by lack of personnel to organize the projects and do the paperwork involved. It is felt that in the coming year there will be less hesitancy to apply for funds, as administrators are realizing that, whether they approve or not, they are being unfair to the children. The fact that federal funds are now available to help the small school also raises the school consolidation issue. It is argued that the more outside help these schools get, the greater the reluctance will be to consolidate. But with the Act's emphasis on cooperation of districts with few eligible pupils, this could lead to joint efforts, which might be a step toward consolidation.
- 2. The problem of federal financing is a concern because a second year's continuation of a program can only be tentative depending upon the availability of sufficient funds. These funds require annual congressional appropriation which makes long range planning difficult. As of October, 1966, Congress had not yet appropriated the funds for 1966-67. It is argued that it would be better for the funds to be given to the state without so many regulations. This, it is felt, could allow for greater leaway in distribution and would aid long range planning. But without the detailed regulations, some people feel there could be abuse in spending the funds contrary to congressional intent.
- 3. The regulations and administrative requirements are considered excessive in relation to the overall effect of the Act. For the \$25 30 million involved in relation to the total normal state education budget of approximately \$540 million and the State Department of Education aid funds of over \$200 million, far too much administrative time is required. This is a further argument for greater state administrative control. Title III of the Act allows no payment for administrative expenses and Title V provides for payment with state sharing to begin in the second year. The State Department of Education feels this to be a financial hardship.
- 4. Under Title III, the State Education Commissioner recommends projects, but final approval rests with the U. S. Commissioner of Education. State officials feel that bypassing their office is a weakness in the Act.

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5. As the Act went into effect, there was a good deal of discussion about the criteria used to establish poverty for the distribution of Title I funds. The system has now been pretty well accepted. The figures for poverty are based on the 1960 U.S. Census and Aid to Families of Dependent Children statistics for 1962. These probably result in an undercounting of Indian children who could qualify. Indians' mobility makes statistics of their location difficult. Those schools with larger Indian populations are probably receiving a smaller amount of federal funds than their real poverty level would allow.

From the response throughout the state, the federal act has stimulated thinking about education, the schools, the community. From the State Department of Education on down, the influx of federal funds has created a great deal of activity in trying to improve educational opportunities. In the year-end report to the State Board of Education, the administrators of Title I reported, "Services to pupils under Title I have been received enthusiastically. Pupils and their parents have been greatly impressed with the help available under the Act and have participated in numbers which greatly exceeded expectation."

#### FEDERAL EDUCATION ACTS - 1965 - OPERATING IN MINNESOTA, June 30, 1966

Public Law 89-10. Elementary and Secondary Education Act

#### Administrative Agency

Federal Dept. of Health, Education, & Welfare; Office of Education

State State Board of Education Citizen Advisory Committee for each title

Local County or local Superintendent of Schools: School Board

Accomplishment 1st year ending June 30, 1966

### Responsibility

Title I - Special Programs for Educationally Deprived Children Allotted to Minnesota - \$24,500,000

- 1.Sets allotment: # of children 5-17 years in families with less than \$2000, 1960 + those receiving AFDC in excess of \$2000 for 1962, times \$275.  $(\frac{1}{2} \text{ Minn. avg/pupil})$ expenditure)
- 2.Sets guidelines: a. Programs to meet special educational needs of educationally deprived children. b. Massive, concentrated programs. c. Programs available proportionately to eligibles attending nonpublic school.

3. Reviews state approvals.

- 1. Distributes allotted money by number of eligible children/county.
- 2. Divides county allotment/district.
- 3. Approves proposals.
- 4. Helps rewrite and correct applications.
- 5. Supervises and inspects projects.

- 1. District submits proposal within allotted funds.
- 2. If a Community Action Agency (OEO) exists. must plan with them.
- 3. Must maintain local financial effort.
  - 4. Must follow proposal as approved.
  - 5. Must keep records and be available for inspection.
- 6. Must evaluate results.

- 1240 projects approved. Over \$20,000,000 funded. (remaining returned to the US Treasury)
- 25 professional and clerical people to administer on state level.
- 4 area offices established.

## <u>Title II</u> - Instructional Materials Allotted to Minnesota - \$1,990,000

- 1. Sets allotment:
  5% for state administrative expense. (3% next year)
  12% of material costs allowed for processing.
- 2. Sets guidelines:

  a. To be for all children; responsibility remaining with public agency.
  b. Must be supplemental materials. Can't
  be textbooks, religious
  material, encyclopedias.
- 1. Distributes funds, between \$1.25 - \$2.25/ child in district. (Amount varies with district's relative wealth.)
- 2. Approves all materials selected.
- 3. Limited selection to library books, films, filmstrips, tapes, recordings and transparencies.

- 1. Submits selection for state approval.
- 2. Must maintain 3 year average expenditure for instructional materials to remain eligible.
- 3. Public school acquires and maintains owner-ship of all materials. A proportionate amount is loaned to pupils in private schools in the district.
- 494 applications approved. (19 school districts, mostly ungraded, didn't apply.)
- 166, 186 private school children served (97.7% of '64-5 private enrollment.)
- \$189,000 spent for resource materials.
- \$99,000 administrative expense.
- \$8,000 not used.

Title III - Projects to Advance Creativity in Education - PACE Allotted to Minnesota - \$1,340,000 (next year, \$2,760,000)

- 1. Sets guidelines:
  To stimulate communities to experiment, innovate, try new educational projects.
  Programs to be supplemental.
- . Approves all projects.
- 1. Makes advisory recommendations. No funds have been provided for state administration.
- 1. Submits proposal.
- 2. Should involve whole community's resources.

\$1,170,000 funded. 29 out of 74 proposals submitted were approved. \$144,000 remains.

#### Title IV - Upper Midwest Regional Educational Laboratory

A regional nerve center serving North and South Dakota, Wisconsin, Iowa and Minnesota located in the Twin Cities. The purpose is to bring the results of present educational research into the classromm; to close the gap between good curriculum, teaching practice, materials used, etc. and actual practice; to aid in developing curriculum and materials adapted to certain problems - rural youth, Indians.

Federal

State

Accomplishment 1st year ending June 30, 1966

<u>Title V</u> - State Departments of Education Allotted to Minnesota - \$272,000 (next year, \$341,000)

Sets guidelines: to strengthen state departments of education

Goal: 1. To define an adequate program for education in Minnesota.

- 2. How to organize for it.
- 3. How to finance it.

U of M team, ll people contracted to make study. \$67,000 for an independent analysis of the operation of the State Department of Education. 3 state employees.

#### Higher Education Act, 1965

Federal Guidelines

The Act functions mainly between the US and institutions of higher education to:

- 1. Improve instruction, facilities, help developing institutions.
- 2. Establish student scholarships.
- 3. Administer college work-study program (from EOA).
- 4. National Teachers' Corp- has not yet been funded.

  Administered through the state:
- 1. Community Service Program
- 2. Student loan insurance program

#### State Role

- 1. Community Service and Continuing Education Program. Approval at the state level of projects by institutions of higher education to conduct programs designed to help solve community problems, to use community resources.
- 2. There is no qualifying state loan program to utilize the student loan provision of the Act.





PARENTS FOR INTEGRATED EDUCATION, INC.

A City-Wide Citizens Group Dedicated To Better Education Through Integration

FILE COPY

CHRONICLE OF SCHOOL INTEGRATION

Mrs. Ralph D. Ebbott

WHITE BEAR LAKE, MINN. 55110

**Balance Schools Increase In Number:** 

# North Edges Toward Desegregation Of Its Public School System

Chicago.—One by one, public schools in the North are inching their way toward racial balance.

At least 79 school systems have taken firm desegregation steps since the National Association for the Advancement of Colored People began its school campaign in the North and West in 1962.

Plans adopted run the gamut from rezoning to a shift of "feeder" patterns from elementary to junior high or high school. The success of any leans heavily on the size and shape of the Negro ghetto involved, argues Thomas F. Pettigrew, consistent battler for the integrated school and associate professor of social psychology at Harvard University.

Problem Political

"If the population is 10 percent Negro or less, a lot of things will work," he explains. "About all you need is good faith. But in Harlem or Los Angeles, these same solutions might not even have a temporary positive effect. Even redistricting every year might not be very effective. . . The big problem has always been political."

He contends it is easier to racially balance the schools in a city like Chicago or St. Paul, where the ghetto is long and narrow, than in a concentrated Negro area such as Harlem.

## House Rejects Requirement On Busing

WASHINGTON — (P) — Congress voted more federal aid for the nation's schools Thursday night but the house added an ironclad prohibition against any federal requirement for busing school children to overcome racial imbalance.

With only token opposition, the house approved an amendment by Rep. James G. O'Hara, D-Mich., that would prohibit the commissioner from "requiring the assignment or transportation of students or teachers to overcome racial imbalance."

O'Hara said the provision would not prevent local school districts from putting busing plans of their own into operation with federal funds.

IN CITY SCHOOLS

MINNEAPOLIS

# Board Vows End to Segregation

By RICHARD P. KLEEMAN Minneapolis Tribune Staff Writer

THE STATEMENT on seeking racial balance in schools by attempting to off-set segregation resulting from concentration of Negroes in certain districts was proposed by Supt. Rufus A. Putnam.

It was worked out at the instance of—and in collaboration with—such human rights organizations as the Minneapolis Urban League, local chapter of the National Association for the Advancement of Colored People and Mayor's Human Relations Commission.

"In order to achieve the goal of maximum educational opportunity for each child, to teach essential social skills, to develop positive attitudes toward participating in the democratic process and to act according to our



Putnam

"THIS INCLUDES planning of new schools in such a way as to disperse non-white pupils, the use of redistricting of school attendance areas, open enrollments and such other techniques when consistent with sound educational and planning practices, in order to achieve reasonable racial balance."

The statement was praised by representatives of civil rights groups present and by several board members, but L. E. (Duke) Johnson refrained from voting on it, because, he said, "While I subscribe to the principles involved, this just is not broad enough."

See inside for integration progress in Evanston, Hartford, Portland, Rochester, N.Y., Englewood and East Orange, N.J., and Boston.

## Editorials A Successful Experiment

Parents for Integrated Education should be congratulated for their first year of operation. They proved that a highly emotional issue such as school integration can be handled smoothly and without incident.

The PIE program brought 75 Negro youngsters from the Dale-Selby area into five Highland Park schools. Indications are that both the Negro pupils and about 1,000 white youngsters in the five Highland Park schools gained from this experience.

The PIE supporters feel that white children living in a multi-racial society need the experience of integration as much as minority group children.

The success of the PIE experiment should encourage St. Paulites to continue such efforts.

ST. PAUL DISPATCH Tues., May 24, 1966



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