

(The following material was submitted for the record:)

STATEMENT SUBMITTED BY AMERICAN FRIENDS SERVICE COMMITTEE, ATLANTA, GA.,
AND NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, NEW YORK, N.Y.

The American Friends Service Committee and the NAACP Legal Defense and Educational Fund share a concern about the elimination of segregated public school systems, not only because children have a constitutional right to education without discrimination but also because equality of educational opportunity is basic to the moral right of every child to develop his full potential.

The AFSC speaks out of 15 years of experience in community action programs to promote school desegregation. The Legal Defense Fund has handled virtually all of the litigation in the last quarter century to abolish segregation in education. During the decade following the Supreme Court's decision of 1954, we came to recognize that an attack on segregated education which relies solely on the courts is agonizingly slow. Therefore, we have welcomed an administrative approach to this problem which has lodged responsibility in the Department of Health, Education and Welfare, to effectuate nondiscrimination in federally supported educational programs as required by Title VI of the Civil Rights Act of 1964. Our two agencies were eager to play their part in making this administrative role successful. It held promise of removing the burden for school desegregation from the individual Negro, by placing it on the responsible educational authorities.

In 1965 and again in 1966, we co-sponsored a School Desegregation Task Force which has reached hundreds of communities in nine southern states. The goal has been to inform Negro families of their rights, under Title VI regulations as well as court orders, to develop local leadership to promote substantial school desegregation, and to maintain close contact with Federal officials in order to give prompt and accurate reports of attempts to deny parents and children their rights.

Having observed the overall development of the compliance program, we reported in November 1965, the findings of our first Task Force to Secretary John W. Gardner. We made twenty recommendations for the more effective carrying out of the mandate given to HEW by Congress. Our report is attached. (Exhibit A.)

We are now preparing a document with our recommendations for abolishing the dual school structure based on our most recent Task Force work. We are glad to have this opportunity to discuss our concern with the Special Subcommittee on Education as it reviews the operation of the Office of Education. Our experience shows that the close relationship between program effectiveness and administrative competence is undeniable.

Our observations of the effectiveness of the Equal Educational Opportunities Program (EEOP) of the Office of Education lead us to several conclusions concerning the administration of the program. It is clear to us that an administering agency must have: (1) regulations adequate to carry out its mandate; (2) adequate interpretive and informational programs to advise persons of their rights and obligations under these regulations; (3) an affirmative compliance program with effective implementation machinery; (4) a well coordinated, comprehensive approach; and (5) built-in mechanisms for information gathering and evaluation of effectiveness.

Our recommendations deal with these five areas.

I. *The Guidelines should be strengthened.* The Office of Education's 1966 Guidelines (Revised Statement of Policies for School Desegregation Under Title VI of the Civil Rights Act of 1964) should be evaluated as to their adequacy for eliminating dual school systems. The fact that an estimated 88-90% of the Negro pupils in the southern states are still in totally segregated schools in this third school year since the passage of the Act indicates the disappointingly modest progress which has been made. The 1966 Guidelines are stronger than those of 1965. The objective—eliminating dual school systems as expeditiously as possible—is forthrightly stated. There is a clear requirement for performance in pupil and staff desegregation in comparison with 1965, when a policy commitment from a school district seemed sufficient.

Recognizing impediments to desegregation in 1965 for which local officials were often responsible, the 1966 Guidelines outlined in detail the procedures to be followed, particularly in implementing freedom of choice plans. The require-