

districts. Where these violations are known, districts have been warned, but many feel no threat of withdrawal of Federal funds.

The lack of staff, the concentration on the poorest of the poor performers and the uncertainty about what Federal officials can specifically require to effectuate the constitutional mandate to abolish segregation have contributed to hesitancy about launching an affirmative program.

Although the wise, prompt and consistent use of sanctions is a necessary part of the total effort, it is not a substitute for an affirmative program. An affirmative program would not be centered just on the worst offender, but would be concerned to achieve the most comprehensive and effective desegregation plan for each school district—a plan which would be adequate to abolish the dual school structure. The Federal role should be to compile all available information about each school district and to work out with local officials and community leaders a comprehensive desegregation plan for that district. This plan would include the closing of inferior schools, the maximum and non-racial utilization of adequate facilities, school construction and site selection, the up-grading of programs, the reorganization of grades, the re-routing of buses, non-racial staff assignments and in-service training, remedial programs to compensate for previous disadvantage and the proposed use of state and Federal funds. The Office of Education would provide technical assistance in the forms of model plans and staff to help develop these plans, which would have to be approved by the Commissioner. Federal financial support should be withdrawn from those school districts which are unable to devise and implement plans which will end the segregated structure, *in fact*.

The mandate, authority and skills of the staff of a Federal government compliance program are crucial to their effective role in achieving the goal of abolishing the dual school system. HEW's compliance program needs a full-time, year-round staff, adequate in numbers, maturity and resourcefulness to get the job done.

IV. *The Office of Education should develop a well-coordinated approach to compliance so that Federal programs are working toward the same goal.* If Federal funds are to be an effective lever for achieving nondiscrimination, the Federal investment must play this role in its entirety; one program should not be strengthening segregated schools on the one hand, while a narrowly conceived compliance program seeks to abolish them on the other. We are particularly concerned about reports that programs funded by the Elementary and Secondary Education Act are being used in such a way as to discourage desegregation.

V. *The Office of Education should build into its compliance program a process of systematic fact-finding and evaluation so that it can make an accurate assessment of progress, identify areas of weakness in the Guidelines and strengthen its compliance machinery on the basis of documented experience.* On September 26, 1966, we submitted to Commissioner Harold Howe, II, a list of questions, the answers to which we believed would provide material for an assessment of the effectiveness of the compliance program in 1966. (Exhibit B) Since that time, representatives of the Task Force have had several conferences with EECF staff about the letter. In spite of the fact that Office of Education officials have stated that the information requested would reveal the effectiveness of their program and administration, they have admitted that the present process of data-gathering and compliance review do not produce the information needed. Because of this serious shortcoming, the letter remains officially unanswered. It is hard to see how sound planning is being done for 1967, in the absence of evaluation based on the full documentation of the 1966 experience.

American Education is still largely segregated and unequal. The American public school, as a symbol of exclusion, is building up bitterness and frustration among Negroes. Locked into segregated schools and locked out of participation in the mainstream of economic, cultural and civic life, American Negroes are now less inhibited in their expressions of alienation and despair. Time is running out. The Office of Education now has an unprecedented opportunity to secure integrated quality education for all American children. It must develop the administrative capacity to seize this opportunity. We hope that the study currently being carried on by the Special Sub-committee can help strengthen the Office of Education and thus support it in this most difficult but most urgent task.