

dren attending desegregated schools in Clarendon County. The vast majority of Negro students there still attend segregated schools and the dual school system prevails. After twelve years County Superintendent of Education L. B. McCord continues to insist that integration is "theologically wrong" and he still feels that "you can't change people overnight."

During this 1966-1967 school year approximately 95% of South Carolina's Negro children are attending segregated schools. Only about 12 of the state's 108 school districts have made sufficient progress towards abolishing the dual school system so that the United States Office of Education can say that their performance is "satisfactory at this time." This does not mean that these districts have eliminated the dual school system, it merely indicates that they have demonstrated that they are making some reasonable progress towards achieving that goal.

During the past two years, the American Friends Service Committee and the NAACP Legal Defense and Educational Fund have pooled their resources to sponsor the School Desegregation Task Force. Working in nine deep South states this group has informed citizens of their rights under school desegregation law, aided communities in organizing to effectuate greater desegregation, and has sent complaints to federal agencies when there were violations of school desegregation guidelines in local communities. This critique is based on the Task Force experience in South Carolina and the majority of the information was collected during seven months involvement in and observation of school desegregation efforts in South Carolina. Some of the information is based on newspaper accounts, reports from citizens, and other private but reliable reports.

THE GUIDELINES

In early March, 1966, the U.S. Department of Health, Education, and Welfare published its "Revised Statement of Policies for School Desegregation Plans Under Title VI of the Civil Rights Act of 1964." This publication was commonly referred to as the "guidelines." In subsequent months the guidelines became the foundation for political opportunism and vilification of officials of the United States Office of Education.

The guidelines were the regulations for school desegregation and were issued as required by Section 602, Title VI, of the 1964 Civil Rights Act. Title VI of that act provided that: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The guidelines were first issued in 1965. Southern school districts were frequently successful in violating these guidelines because in an attempt to give the districts an opportunity to comply in good faith and establish their own administrative procedures for school desegregation, HEW made the guidelines vague. In order to correct this defect and to effectuate more substantial progress towards the abolition of the dual school system, the 1966 guidelines were more explicit and definitive in their requirements.

The 1966 guidelines required the following:

- (1) To be eligible for federal funds, school systems with voluntary school desegregation plans had to submit an assurance (Form 441-B) that their plans would be carried out in accordance with the standards outlined in the guidelines.
- (2) School systems had to make significant progress in eliminating the dual school system under free choice plans.
- (3) The school system had to inform the community of its plans, solicit community support, and take the necessary steps to protect all persons exercising their rights under the plan.
- (4) In school districts operating under a free choice plan, every student had to choose a school each year. There could only be one choice, and the school system had to ensure that the choice could be made without fear of reprisal.
- (5) All school activities, facilities, and programs had to be desegregated.
- (6) Schools had to make significant progress in desegregating their faculty and staff. HEW later explained that in a district, for example with eight schools there should be at least eight full-time teachers involved in faculty desegregation.
- (7) Small, inadequate schools established for Negro students or other minority groups had to be closed.