

providing Negro children with the kind of education they are entitled to have. Residential segregation is in itself an evil which tends to frustrate the youth in the area and to cause anti-social attitudes and behavior. Where such segregation exists it is not enough for a school board to refrain from affirmative discriminatory conduct. The harmful influence on the children will be reflected and intensified in the classroom if school attendance is determined on a geographic basis without corrective measures. The right to an equal opportunity for education and the harmful consequences of segregation require that school boards take steps, insofar as reasonably feasible, to alleviate racial imbalance in schools regardless of its cause.

That is the position and the policy of the State of California, as evidence by the Board resolution and the court ruling.

Title I, as you know, speaks of concentrations of disadvantaged youngsters, and some of us were much concerned that it would put us in a position of reinforcing segregation patterns. (And, by the way, there are people in California, as I suspect there are elsewhere, who would be perfectly willing to give you compensatory education if you kept the children in the ghettos.) For a year, our Advisory Committee on Compensatory Education has been wrestling with this problem regarding Title I.

In addition to the State Board's policy and the court's decision, which I have already quoted, we have in California the McAteer Act of 1965. This governs all compensatory education activities and therefore all programs for disadvantaged children, since in California all such programs are administered under the Division of Compensatory Education. Let me read you one key section in this State law:

Nothing in this chapter shall be construed to sanction, perpetuate or promote the racial or ethnic segregation of pupils in the public schools.

Our first confrontation with the problem with regard to Title I of ESEA came by way of a school district whose administrator said, as we were informed: "Now I am going to put Wilson Riles and the Department of Education and the U.S. Office of Education on the spot. I am going to ask for Title I funds for buses to integrate 250 youngsters in my district, and I am going to see what they will do about that."

We welcomed this challenge, and let it be known that we would certainly have to review such an application. But first we went into the question of how to deal with the problem of disadvantaged youngsters where there are no concentrations of poverty—in other words, how to deal with scattered poverty. We worked out a system whereby we would review a project on the basis of how it defined where the disadvantaged youngsters were, the problems they had, and the process the school

had gone through to define the problem and arrive at ways of dealing with it.

If a district decided to completely integrate its schools and scatter its poverty, we thought we could deal with this on the basis of the intent of the act. In the case of the busing project just mentioned, we simply said that if the district wished to really integrate and set up a situation where it would have scattered poverty, we would be willing to work out something with it. But, if it was just going to come up with a token plan to move 250 youngsters, we would raise some serious questions. In the end, a project was worked out which also relieved overcrowding and added personnel, special instructional equipment and materials, teacher inservice training, and curriculum development.

Now, finally, as for the action we took on the overall problem. On June 9 the State Board of Education adopted its present position with regard to Title I projects. The State law provides, as we have seen, that programs should not sanction, perpetuate, or promote racial or ethnic segregation of pupils in the public schools. In our guidelines for Title I of the Elementary and Secondary Education Act of 1965, we prescribe certain actions to comply with California State policy with regard to the integration of pupils in the public schools and to provide the maximum educational benefits to the children being served.

In its application for funds for a project under Title I, we say the applying district shall include a statement as to the effect, if any, that the proposed project will have on patterns of segregation in its schools. It must explain the extent to which it has addressed itself to the problem of de facto segregation and what actions it proposes to alleviate this problem. The crucial test is whether the project sanctions or perpetuates segregation.

We suggest a few examples. Some of these have been tried; others have not. In a newly integrated school district, funds under Public Law 89-10 may be used to facilitate preparations for the integration process, provided these funds focus on educationally deprived children residing in the target area. After the integration process is operative, programs of compensatory education using Title I funds may follow, to help enhance the children's educational attainment and adjustment to the new situation.

Funds may also be used for the purchase of inter-group relations materials. Let me preface that remark by saying this: We have somewhat structured what the State feels about desegregation, but we know that the local district must first identify what they consider the problem to be.