

Mr. STEIGER. Can you give me any indication of the 35 school districts; are these all in the Deep South?

Mr. LIBASSI. Yes, they are. There are two in Alabama, four in Arkansas, five in Georgia, 16 in Louisiana, seven in Mississippi, one in South Carolina.

Mr. STEIGER. Of the 177 that you indicated have they been given notice of hearings?

Mr. LIBASSI. That is right.

Mr. STEIGER. Are these also all southern districts?

Mr. LIBASSI. Yes they are. May I list them for you?

Mr. STEIGER. List?

Mr. LIBASSI. Alabama, 51; Arkansas, seven; Florida, two; Georgia, 33; Louisiana, three; Mississippi, 41; North Carolina, 11; South Carolina, 16; Tennessee, three; Texas, two; and Virginia, eight.

Mr. STEIGER. Can you give me any indication whether you are following the procedure required by last year's amendment to ESEA for a hearing within 60 days of notice that a school district is not in compliance?

Mr. LIBASSI. Since the adoption of that amendment, we have notified all cases.

We have given all cases an opportunity for a hearing or we have listed deferral against these districts and they are receiving their Federal funds. In other words, the 177 districts that have been notified for a hearing have been notified in accordance with the Fountain amendment. Their funds are being deferred and will be continued to be deferred according to the provisions of that statute.

There are 12 of 177 where no funds are being deferred at all because the 60 days have elapsed and therefore deferral was lifted.

Mr. STEIGER. The deferral was lifted and the funds were withdrawn?

Mr. LIBASSI. The funds were reinstated to those districts because the 60 days had passed. There were 12 districts that are currently under notification of hearing where that took place.

In addition, in some of the 177, the school districts themselves have asked for adjournment of the hearing or continuation of the hearing beyond the 60 days and as provided by the statute where it is mutually agreed then deferral will continue but any district that wants a hearing within the 60 days we must and have offered it to them.

Mr. STEIGER. Can you give me any indication as to what you are doing in terms of examining and viewing those city school district systems for de facto segregation rather than what might be called actual segregation in the southern system?

Mr. LIBASSI. Yes, the title VI applies to all 50 States and wherever we are able to establish that there was a policy and practice by law of a northern school district segregating students title VI applies.

We have conducted investigations in some 30 cities in the North where some complaints were lodged alleging discrimination and segregation. Where we have been able to we have made recommendations to these districts for corrective action they may wish to take.

Most of the districts have voluntarily taken this course of action. We have not initiated any hearings in the North. We have found that most of the districts—it has been our experience—I know of only one