

Has the Department at any time in listening to these protests modified its guidelines on the basis of protest?

Mr. LIBASSI. Under the guidelines which I must say are extremely flexible, we have during the course of processing cases accepted plans on review by higher officials in the Office of Education so that where a school district would come up with a particular plan and a staff person who felt the plans was not acceptable on review by other officials in the Department or in the Office of Education we have accepted them.

So there is a considerable flexibility in the administration of the guidelines to allow for dealing with the problems of individual situations.

Also school districts themselves, after we have notified them for a hearing will come in and say well, now I think we can work out a plan for desegregation would you accept this, and if it meets the general requirements for substantial progress start movement, we accept these plans and discontinue the hearings.

Mr. DELLENBACK. We have been talking about segregation among Negro and Caucasian. For example, are there any truly Puerto Rican schools and are there any other areas in the United States where we have desegregation problems that deal with other than Negro-white?

Mr. LIBASSI. Yes, there are very few in terms of numbers. There are a few Indian schools which are operated by public school systems which are involved in the process of desegregation. I don't know of any others. Maybe Mrs. Martin if you wish, could comment on this further.

Mrs. MARTIN. We have gotten complaints from the West involving Indians, Mexican-Americans, but again it is the de facto type problem where the residential areas are Puerto Rican or Mexican American and the schools reflect the neighborhoods so we deal with those problems as we would in Manhattan or a Milwaukee problem. It is not a guideline problem.

Mr. STEIGER. Would the gentleman yield for a moment?

Mr. DELLENBACK. Yes; I yield.

Mr. STEIGER. Maybe I missed it but did you specify the number of school districts that have not been willing to sign a compliance?

Mr. LIBASSI. Yes; and this is as of March 14th and this is a constantly changing problem in terms of numbers, but we have 96 districts that have refused to sign a statement that they would comply with the regulations or the guidelines. Some have submitted a statement but then they have qualified it to the extent we will comply with only part of the guidelines but not other parts.

Now this 96 is included in my overall figure of the district we have notified for hearing.

Mr. STEIGER. Ninety-six out of one hundred seventy-seven?

Mr. LIBASSI. It is 96 out of the total number of cases that we have had any dealings with including terminations. Some of these have already been terminated—239, so it is 90 school districts out of 239 which is all of the cases that have either been terminated finally or are in the process of hearing, or districts that refused to sign at all. So you can see that is a very good part of the number of cases that we are dealing with.