

1666 ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS

3. The changes demanded have come to us after obligations and contracts with teachers have been made and compliance with them will force the administration and school board to renege on contracts and commitments already made to teachers and pupils.

Comment: I regret that it was not possible to issue the guidelines until March 7. It appeared desirable, however, to consult a great many persons within and without the Government, including many State and local school officials, during the preparation of the guidelines. Arranging the consultations and making use of the advice given us took longer than was anticipated. Nevertheless, the fact that the guidelines were under revision was widely reported in the press, and chief State school officers were kept informed. The provisions of last year's guidelines and our statements while the guidelines were under revision were such that responsible school officials should have been preparing for further progress in teacher desegregation next fall.

4. The policies force the use of certain language, which is not the will of the school authorities, in notices to parents and advertisement in the paper and requires that the school adopt it in toto. When official freedom of expression is denied, the time is not far away when personal freedom of expression also will be denied.

Comment: As I explained above, our experience last summer demonstrated the advantages both to local school officials and to the Office of Education of providing acceptable notices and forms ahead of time and on a uniform basis.

5. The time schedule for advertisement and registration of pupils cannot be met because of the late notice to the schools.

Comment: The choice period required by the guidelines could start as late as April 1, 25 days after the guidelines were issued. Section 181.62 states that if a required procedure is not feasible, the Commissioner may accept an alternative if he determines it will accomplish the same purpose. Late starts have been permitted when there is a good reason for them.

6. The severity of the changes will create antagonism among teachers, pupils, and patrons and, hence, will cause serious problems in administration of the schools.

8. It leaves the feeling that the Civil Rights leaders are using a club to force their will and show no respect for our rights or opinions. There can be no enthusiastic attempt on the part of administrators or board members to comply with such orders and the entire school system will suffer.

10. It makes no provision for local traditions and opinions but assumes that all situations can be handled in the same manner. There are some 150 or more schools in Arkansas that have none or few Negroes while some have as much as 60% Negro.

11. It imposes a tyranny over our schools which affects the lives of all our people and destroys their faith in our government.

Comment: I am, of course, well aware that there are those who doubt the wisdom of the school desegregation decisions, and the Civil Rights Act of 1964. I am also aware, that in some places, providing leadership so that pupils, parents, teachers and the community will accept desegregation is a most difficult task. But, as the enclosed memorandum points out, it is the law that desegregation must proceed expeditiously. Furthermore, it has been our experience that attitudes often change faster than would appear possible beforehand, and that with determined and resourceful leadership, school systems can make significant changes in a short period of time, to the benefit of all concerned. The guidelines provide for flexibility and by no means require precipitous change where local conditions require otherwise. Where local officials assume responsibility locally to bring about the change in a planned and orderly fashion there has seldom been trouble. The complaints of Federal interference and predictions of disorder usually come from communities that have not assumed local responsibility for desegregation.

Needless to say, to the extent of our resources, we will work with school officials to help make desegregation a success. I believe most school officials are aware that under Title IV of the Civil Rights Act of 1964, the Office of Education has consultants available who can provide school officials with on the spot advice about desegregation. It can also arrange for institutes and in-service training programs which will help school personnel deal effectively with the problems of desegregation. We have found that these programs can be very useful in overcoming the problems to which Mr. Stratton refers.