

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS 1667

9. It places financial strain on schools to advertise, send letters, and employ additional clerical assistance to get letters to patrons.

Comment: We are aware that the cost of printing, and sending out notices has to be met from lean budgets. But if a desegregation plan is to be effective it is essential that parents be given direct and individual notice of the plan and how it affects them. Furthermore, it should be noted that far more than the cost of the one mailing is still being spent, even today, on bussing and other arrangements made to preserve segregation.

In closing, I can assure you that there will be no doubt of the compliance with Title VI of Arkansas school systems which are proceeding with reasonable speed to establish a single system of schools. We will have to work closely with those districts which are making less progress and we will, of course, take into account their particular problems. If there is any assistance we can give to you and your staff in working with such school districts I hope you will call upon us.

Sincerely,

HAROLD HOWE II,
U.S. Commissioner of Education.

April 25, 1966.

To: Chief State School Officers.

From: Harold Howe II, U.S. Commissioner of Education.

Subject: Special Civil Rights Compliance Problems in Summer Programs under Title I of the Elementary and Secondary Education Act.

All school districts operating summer preschool and other summer programs should be reminded that all such programs must be operated on a nondiscriminatory basis. School districts operating under desegregation plans should refer to § 181.14(b)(4) of the revised desegregation Guidelines which provides that:

All special educational programs, such as preschool, summer school and adult education, and any educational program newly instituted, must be conducted without segregation or any other form of discrimination. Free choice desegregation procedures normally cannot be applied to such programs.

For those school districts working under school desegregation plans for their regular school program, summer projects provide an opportunity for helping the community with the transition and helping the staff prepare for faculty desegregation during the coming school year. The way in which summer programs are used for this purpose can demonstrate the good faith of a school district in carrying out its desegregation plan.

Summer projects approved under Title I by the State educational agency either before or after the issuance of the revised desegregation Guidelines are subject to the same nondiscrimination requirements. Your agency must make special efforts to make sure that such projects are not begun on a segregated basis, in order to avoid the possible necessity of discontinuing or reorganizing the project after it has begun.

If a school district plans to conduct the same or similar activities at more than one location an evaluation must be made to determine whether this separation is justified on some basis other than the maintenance of segregation.

In making this evaluation the State educational agency should consider the racial composition of the teaching staff, whether the school at each location is thought of by the public as being for white or Negro children and whether the activities could be conducted at one location where members of both races would feel free to attend.

Another way of stating these requirements is that summer projects under Title I of P.L. 89-10 and Head Start programs under OEO will operate along parallel lines with respect to civil rights compliance.

While an area for a summer project may need to be selected on the basis of the number of children from low-income families currently attending a particular school, all of the children residing in the area surrounding that school should be considered for participation in the project according to their needs without regard to race, color, or national origin. Such a project normally should not be conducted at a school identified as a Negro school if there is another school not so identified within the project area or reasonably close to it.

It should be emphasized that the foregoing principles apply to the selection of school facilities, children, and staff for preschool projects.